

KFM House journal of the 54th legislature, 1995,
9018 Vol.3

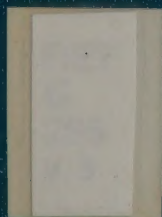
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**HOUSE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 23, 1995

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Reverend Marianne Niesen of the United Methodist Church. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Arnott, M. Hanson, T. Nelson, Orr, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/23/95

Correctly engrossed for third reading: HB 222, HB 390, HB 416, HB 460, HB 514, HB 521, HB 552, HB 573, HB 577.

Delivered to the Governor for his approval at 8:00 a.m., 3/23/95: HB 65, HB 219, HB 259, HB 270, HB 320, HB 335, HB 355, HB 368, HB 372, HB 384, HB 385, HB 424, HB 428, HB 431, HB 433, HB 436, HB 439, HB 454, HB 461, HB 467, HB 475, HB 489, HB 501, HB 536, HB 551, HB 553.

APPROPRIATIONS (Zook, Chairman):

3/23/95

HB 528, introduced bill, be amended as follows:

1. Title, lines 4 and 5.

Following: "AN ACT ENTITLED: AN ACT"

Strike: "REVISING THE FUNDING OF HIGHWAYS IN THE COAL-IMPACTED AREAS OF THE STATE;"

2. Title, lines 5 and 6.

Following: "APPROPRIATING MONEY"

Strike: "FROM THE HIGHWAY SPECIAL REVENUE ACCOUNT AND THE LOCAL IMPACT ACCOUNT"

Insert: "RECEIVED FROM BIG HORN COUNTY"

3. Title, lines 7 and 8.

Following: "HIGHWAY 314;"

Strike: "ALLOCATING A PORTION OF THE COAL SEVERANCE TAX TO THE COAL AREA HIGHWAY IMPROVEMENT ACCOUNT; AMENDING SECTIONS 15-35-108 AND 90-6-202, MCA;"

4. Page 1, lines 12 and 13.

Following: "from Big Horn Country"

Strike: "for the allocation of \$10.5 million to be used"

5. Page 1, line 18.

Strike: "is"

Insert: "are"

6. Page 1, line 19.

Following: "beginning July 1, 1995"

Strike: "."

Insert: ", any funds received from Big Horn County for the purpose described in subsection (2)."

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7. Page 1, lines 20 and 21.

Strike: lines 20 and 21 in their entirety.

8. Page 1, line 22.

Following: "use"

Strike: "the money"

Insert: "any money that Big Horn County may make available"

9. Page 1, line 25 through page 5, line 15.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 542, introduced bill, be amended as follows:

1. Title, line 8.

Strike: "APPROPRIATING MONEY;"

2. Page 6, lines 10 through 19.

Strike: section 7 in its entirety.

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Title, line 6.

Following: "APPROPRIATION;"

Insert: "GENERALLY REVISING THE LAW CONCERNING BUDGET AMENDMENTS;"

2. Title, line 8.

Following: "2-8-304"

Insert: ", 17-2-103, 17-7-402,"

3. Page 2, line 6.

Following: line 5

Insert: "Section 2. Section 17-2-103, MCA, is amended to read:

"17-2-103. Previous definitions of funds -- identification or segregation of moneys and funds. (1) It is the intent of the legislature that the definitions in 17-2-102 supersede all previous definitions of public funds which are inconsistent with the definitions found in this part.

(2) Any laws enacted in the future or any contracts entered into in the future in pursuance of law that require the segregation of moneys in the state treasury by means of a separate treasury fund shall be interpreted as permitting the segregation of such moneys by means of a subfund or account within one of the funds created by 17-2-102.

(3) Each federal grant or other federal money within any subfund or account of one of the funds created

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by 17-2-102(1)(a) through (1)(c) must be identifiable as a separate accounting entity, reporting center, responsibility center, or revenue identification code, and an account must be made of each such grant or other money by income and expenditure for each federal grant year or fiscal year as may be applicable.

(4) Unless otherwise specifically provided in the statutes pertaining to the tax, the portion of taxes collected by the state that, pursuant to a statute, are to be ~~wholly or partially~~ allocated or distributed to units of local government, school districts, authorities, or other local governmental entities shall be accounted for in ~~the state special revenue~~ a fiduciary fund, established in 17-2-102, as prescribed by the department in accordance with generally accepted accounting principles."

Section 3. Section 17-7-402, MCA, is amended to read:

"17-7-402. Budget amendment requirements. (1) Except as provided in subsection ~~(6)~~ (5), a budget amendment may not be approved:

(a) by the approving authority, except a budget amendment to spend:

(i) additional federal revenue;

(ii) additional tuition collected by the Montana university system;

(iii) additional revenue deposited in the internal service funds within the department or the office of the commissioner of higher education as a result of increased service demands by state agencies;

(iv) Montana historical society enterprise revenue resulting from sales to the public; or

(v) additional revenue deposited in funds, other than the general fund, from the sale of fuel for those agencies participating in the Montana public vehicle fueling program established by Executive Order 22-91, ~~or a new source of revenue that was not available for legislative consideration during the most recent legislative session open to that matter;~~

(b) by the approving authority, ~~which if the budget amendment~~ contains any significant ascertainable commitment for any present or future increased general fund support;

(c) by the approving authority, for the expenditure of money in the state special revenue fund unless an emergency justifies the expenditure;

(d) by the approving authority, unless it will provide additional services;

(e) by the approving authority, for any matter of which the requesting agency had knowledge at a time when the proposal could have been presented to an appropriation subcommittee, the house appropriations committee, or the senate finance and claims committee of the most recent legislative session open to that matter, except when the legislative finance committee is given specific notice by the approving authority that significant identifiable events, specific to Montana and pursuant to provisions or requirements of Montana state law, have occurred since the matter was raised with or presented for consideration by the legislature; or

(f) to extend beyond June 30 of the last year of any biennium.

(2) All budget amendments must itemize planned expenditures by fiscal year.

(3) Each budget amendment must be submitted by the approving authority to the budget director and the office of the legislative fiscal analyst.

(4) Money from nonstate or nonfederal sources that would be deposited in the state special revenue fund and that is restricted by law or by the terms of a written agreement, such as a contract, trust agreement, or donation, is subject to the review process provided in 17-7-114 and is exempt from the requirements of this part.

(5) An appropriation that would usually be the subject of a budget amendment that is submitted to the legislature for approval during a legislative session may not include authority to spend money beyond the first fiscal year of the next biennium.

(6) A budget amendment to spend state funds, other than from the general fund, required for matching funds in order to receive a grant is exempt from the provisions of subsection (1)." "

Renumber: subsequent sections

4. Page 2, lines 28 and 29.

Strike: "state agencies" on line 28

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Insert: "internal service funds"

Following: "report" on line 29

Insert: "on the application of generally accepted accounting principles in the development of fees and charges,"

Following: "reasonableness of"

Strike: "internal service fund type"

Following: "charges"

Insert: ", "

5. Page 3, lines 5 and 6.

Strike: "development of and" on line 5

Following: " " on line 6

Insert: "Internal service fund type fees and charges must be approved by the legislature in the general appropriations act."

6. Page 3, lines 7 through 9.

Strike: subsection (7) in its entirety.

Renumber: subsequent subsections

7. Page 3, lines 15 through 17.

Following: "17-7-102," on line 15

Strike: "expenditures from"

Insert: "fees or charges to finance"

Following: "not" on line 16

Strike: "exceed 110% of each year's target spending level"

Insert: "be increased by 10% over the level"

8. Page 3, line 18.

Following: "request for"

Strike: "expenditures"

Insert: "an increase in fees or charges"

Strike: "110% of the target spending level"

Insert: "10% of the level approved by the legislature"

9. Page 3, line 21.

Following: "that"

Insert: "is not an enterprise or internal service function and otherwise"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/22/95

HB 111, introduced by Devaney

HB 194, introduced by Bergman

HB 405, introduced by T. Nelson

HB 446, introduced by Orr

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HB 466, introduced by T. Nelson
HB 511, introduced by R. Johnson
HB 533, introduced by Arnott

House bill requested to be returned for further consideration:

3/22/95

HB 160, introduced by Curtiss

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 161 sponsored by Representative Curtiss et al. on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 204 sponsored by Representative Tropila et al. on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 212 sponsored by Representative Anderson on March 22, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 321 sponsored by Representative Ewer on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 331 sponsored by Representatives Kottel et al. on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

March 18, 1995

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return Senate Bill 132, "A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS CONCERNING ESTATES AND TRUSTS; REMOVING THE STATUTE OF LIMITATIONS OF 1

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YEAR AFTER LETTERS TESTAMENTARY OR OF ADMINISTRATION ARE ISSUED; REVISING THE TREATMENT OF CERTAIN TRANSFERS FOR PROBATE PURPOSES; CLARIFYING THE AUGMENTED ESTATE; CLARIFYING THE DISTRIBUTION OF LAPSED DEVICES; CLARIFYING THE APPLICATION OF SURVIVAL STATUTES; EXCLUDING JOINT ACCOUNTS FROM TRANSACTIONS INVOLVING BENEFICIARIES FOR WHOM STATUTORY SUBSTITUTES ARE PROVIDED IN CASE OF THE DEATH OF THE BENEFICIARY; CLARIFYING THE PASSING OF PROPERTY IN CASES IN WHICH A FUTURE INTEREST IS CREATED BY POWER OF APPOINTMENT; CLARIFYING THE APPLICATION OF HONORARY TRUSTS; CLARIFYING DISTRIBUTION BY REPRESENTATION; CLARIFYING THE APPLICATION OF HONORARY TRUSTS; CLARIFYING DISTRIBUTION BY REPRESENTATION; CLARIFYING TRANSFERS MADE IN CONTEMPLATION OF DEATH; CLARIFYING THE APPLICATION OF THE TERMS OF A MULTIPLE-PERSON ACCOUNT; CLARIFYING PROVISIONS GOVERNING REVOCABLE TRUSTS; CLARIFYING A TRUSTEE'S LIABILITY UNDER A REVOCABLE TRUST; AND AMENDING SECTIONS 27-2-404, 17-1-103, 72-2-116, 72-2-221, 72-2-222, 72-2-223, 72-2-224, 72-2-225, 72-2-227, 72-2-331, 72-2-332, 72-2-613, 72-2-712, 72-2-716, 72-2-717, 72-2-719, 72-2-721, 72-2-811, 72-2-813, 72-2-814, 72-2-1017, 72-3-102, 72-3-122, 72-3-131, 72-3-132, 72-3-317, 72-6-201, 72-6-213, 72-6-226, 72-16-301, 72-16-308, 72-33-701, AND 72-34-513, MCA.

Senate Bill 132, as introduced, was intended to make technical corrections to remove ambiguities in the estates, trusts, and inheritance tax statutes. Some of the amendments to the introduced bill are of concern to me.

First of all, amendments to Senate Bill 132 removed language from some general definitions of the Uniform Probate Code. These general definition, found in section 72-1-103, MCA, have application beyond the laws of estates and trusts, and so any amendments to them will likewise be broadly applied. For example, one unintended consequence of the bill would be that the amended definitions would apply to retirement plan beneficiary designations.

Second, the bill inserts the phrase "bona fide purchaser" in place of the word "person" in sections 21 and 22. However, in section two the definition of "bona fide purchaser" is removed and so the inserted language has no meaning in the statute.

Third, in sections 21 and 22, the requirement to return payment or property under certain circumstances if federal law preempts state law the following language is inserted: "other than the Federal Employee Retirement Income Security Act of 1974, as amended" (ERISA). The amendment either suggests that ERISA cannot preempt state law or that the return of payment or property is not required if ERISA does preempt state law. Neither reading seems to make sense.

Finally, Senate Bill 132 changes the elective share provisions of estate law which are intended to protect a surviving spouse from disinheritance. The bill removes life insurance as an asset that is subject to a claim by a surviving spouse. In other words, while other assets of a decedent are subject to the surviving spouse's protection against disinheritance, Senate Bill 132 singles out life insurance from that protection. I do not believe this is sound policy if the elective share is to make sense.

It is my understanding that Senator Bishop, the bill's sponsor, is in agreement that the bill should be returned with amendments to correct the problems I have identified.

Sincerely,

MARC RACICOT
Governor

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GOVERNOR'S AMENDMENTS
TO SENATE BILL NO. 132

1. Page 2, line 21.

Following: "~~policy,~~"

Insert: "an insurance or annuity policy,"

Following: "designation,"

Insert: ", "

2. Page 2, line 22.

Strike: "OR"

3. Page 2, line 24.

Following: line 23

Insert: "(ii) a pension, profit-sharing, retirement, or similar benefit plan; or"

Renumber: subsequent sections

4. Page 2, line 27.

Following: "~~appointment~~"

Insert: ", appointee, or taker in default of a power of appointment."

5. Page 2, line 30.

Following: "~~policy,~~"

Insert: "an insurance or annuity policy,"

Following: "designations,"

Insert: ", "

6. Page 3, line 1.

Strike: "OR"

7. Page 3, line 3.

Following: line 2

Insert: "(b) a pension, profit-sharing, retirement, or similar benefit plan; or"

Renumber: subsequent sections

8. Page 12, line 1.

Strike: "OR"

9. Page 12, line 5.

Following: "~~or~~"

Insert: "or"

10. Page 12, line 16.

Following: line 15

Insert: "(D) proceeds of insurance, including accidental death benefits, on the life of the decedent if the decedent owned the insurance policy immediately before death or if and to the extent that the decedent alone and immediately before death held a presently exercisable general power of appointment over the policy or its proceeds; the amount included is the value of the proceeds, to the extent that they were payable at the decedent's death to or for the benefit of any person other than the decedent's estate or surviving spouse;"

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11. Page 13, line 12.

Strike: "OR"

12. Page 13, line 18.

Following: line 17

Insert: "(B) any transfer of or relating to an insurance policy on the life of the decedent if the proceeds would have been included in the augmented estate under subsection (2) (b) (i) (D) had the transfer not occurred; the amount included is the value of the insurance proceeds to the extent that the proceeds were payable at the decedent's death to or for the benefit of any person other than the decedent's estate or surviving spouse; or"

Renumber: subsequent subsection

13. Page 14, line 16.

Following: "and"

Insert: "and"

14. Page 14, lines 7 through 12.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsection

15. Page 15, line 7.

Following: "~~deceased.~~"

Insert: "For purposes of this subsection (2) (d) (ii), proceeds of insurance that would have been included in the spouse's nonprobate transfers to others under subsection (2) (b) (i) (D) are not valued as if the spouse were deceased."

16. Page 15, line 13.

Following: "~~or~~"

Insert: "or"

17. Page 15, lines 15 through 18.

Following: "spouse" on line 15

Strike: remainder of line 15 through "ESTATE" on line 18

18. Page 22, line 28.

Strike: "(B)"

Insert: "(C)"

19. Page 43, line 24.

Strike: "BONA FIDE PURCHASER"

Insert: "person"

Following: "~~notice~~"

Insert: "for value and without notice"

20. Page 44, lines 2 and 3.

Following: "law"

Strike: remainder of line 2 through "AMENDED," on line 3

21. Page 47, line 7.

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Strike: "BONA FIDE PURCHASER"

Insert: "person"

22. Page 47, line 8.

Following: "~~notice~~"

Insert: "for value and without notice"

23. Page 47, lines 17 and 18.

Following: "law"

Strike: remainder of line 17 through "AMENDED," on line 18

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

March 21, 1995

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto Senate Bill 105, "AN ACT PROVIDING THAT AN ADMINISTRATIVE RULE OBJECTED TO BY A MAJORITY OF THE MEMBERS OF THE ADMINISTRATIVE CODE COMMITTEE MAY NOT BE ADOPTED UNTIL THE END OF THE 6-MONTH PERIOD DURING WHICH THE RULE MUST BE ADOPTED, UNLESS PRIOR TO THAT TIME, THE COMMITTEE MEETS AND DOES NOT MAKE THE SAME OBJECTION; PROVIDING THAT AN ADMINISTRATIVE RULE OBJECTED TO BY THE ADMINISTRATIVE CODE COMMITTEE BEFORE THE RULE IS ADOPTED IS IN SOME CIRCUMSTANCES NOT EFFECTIVE UNTIL AFTER ADJOURNMENT OF THE NEXT REGULAR SESSION OF THE LEGISLATURE; AMENDING SECTIONS 2-4-305 AND 2-4-206, MCA; AND PROVIDING AN APPLICABILITY DATE; for the following reasons.

Senate Bill 105 proposes a scheme that I believe raises several constitutional questions and is undesirable on public policy grounds. The bill would allow, using the worst case scenario, five members of the Legislature to prevent the executive branch of government from promulgating lawful rules (apparently including emergency rules). If a rule were proposed the day after the 1995 legislative session began, and the following legislative session did not adjourn until after May 1, 1997, Senate Bill 105 would cause a delay of the rule until May of 1999, a period of over four years from the time of proposal to implementation. Even if the 1995 session adjourned before May 1, 1995, a rule proposed in 1995 could still not become effective until May of 1997.

In the absence of a constitutional provision expressly authorizing such action, suspension of agency rulemaking by a legislative committee is impermissible. It encroaches upon executive authority, authorizes action that is inconsistent with the separation of powers principle, and is an undue delegation of legislative law-making authority to a committee.

The relevant constitutional provisions are instructive. Article III, section 1 of the Montana Constitution states:

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No person or persons charged with the exercise of power properly belonging to one branch shall exercise any power properly belonging to either of the others, except as in this constitution expressly directed or permitted.

Article VI, section 4 (1) places the power to faithfully execute laws in the Governor, not in the Legislature.

Article V, section 11 (1) provides that no bill may become law "except by a vote of the majority of all members present and voting." And each bill passed, with several express exceptions which are not relevant to this discussion, must be submitted to the Governor for signature or veto under Article VI, section 10 (1).

In applying these provisions of the Montana Constitution to Senate Bill 105, it is important to note that the suspension of an executive agency decision is an exercise of legislative power.⁴ Administrative rules attain the force and effect of law. They are an integral part of the statute that authorizes them. If a legislative committee can suspend the effect of a rule, then it has the power to effectively repeal any statute which delegates rulemaking powers, without passing a law and without the Governor's approval or veto.

A legislative committee may comment on administrative rules, as existing law allows. But when it exercises absolute power to change agency rules or suspend them, it must do so while acting as a legislature. It may not grant itself the power to act as an agency. It must act as a whole body, with its actions subject to the veto of the executive, and because Senate Bill 105 does not do so, it impinges on the Governor's authority to veto legislative action, in violation of Article VI, section 10 (1) of the state constitution. It also empowers a part of the legislative branch to perform an executive function. Indeed, giving a legislative committee the authority to delay rules it may believe are not in conformity with a statute or inconsistent with legislative intent may also invade the role of the judiciary. The separation of powers doctrine found in Article III, section 1, prohibits such an invasion of the executive and judicial branches of government.

Moreover, because Senate Bill 105 vests in a legislative committee the authority to do that which can only be done by the Legislature acting as a whole, it is an undue delegation of power to a legislative committee, as was the case in State ex rel. Judge v. Legislative Finance Committee, 168 Mont. 470 (1975). The Montana Constitution provides for the exercise of legislative power only by a vote of the majority of both houses; thus, a suspension of an administrative rule by as few as five legislators is improper under Article V, section 11 (1) of the Montana Constitution.

Aside from the constitutional problems Senate Bill 105 raises, I believe it is unwise from a public policy standpoint. Authorizing a committee to exercise suspension powers over agency rules creates the likelihood that a small number of legislators may effectively subvert the will of the entire legislative body. The action of the more representative full legislative body would be subject to displacement by the wishes of but a handful of legislators.

Finally, Senate Bill 105 is over-involvement by the Legislature in the day-to-day administration of the programs it creates by statute. Under currently existing law, the Administrative Code Committee may lodge objections to any agency rule. It may poll all legislators to determine if a rule is objectionable. Such objections are not taken lightly, and agencies strive to address the Committee's concerns by amendment to the rule or even withdrawal of the rule. And, of course, the Legislature may repeal any rule by statute, pursuant to section 2-4-412, MCA. The existing procedure for addressing allegedly unlawful rules should be continued, allowing reversal or modification by judicial review or by corrective legislation, and thereby keeping the constitutional protections of the separation of powers intact.

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Sincerely,

MARC RACICOT
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Devaney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative M. Hanson present at this time.

HB 493 - Representative Ewer moved HB 493 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Boharski, Brainard, DeBruycker, Fuchs, Hayne, Jore, Kasten, Keenan, Murdock, Nelson, Orr, Rehbein, S. Smith, Vick, Wagner.
Total 15

Voted Absentee: Arnott, Aye; Nelson, Orr, Noes.

Excused: None.
Total 0

Absent or not voting: Grady. ,
Total 1

HB 349 - Representative Grinde moved consideration of HB 349 be placed at the top of the second reading board. Motion carried.

Representatives Arnott, Nelson and Orr present at this time.

Representative Raney moved HB 349 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Feland, Green, Grimes, Grinde, Hagener, H.S.

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Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook.

Total 76

Noes: Arnott, Boharski, Curtiss, Devaney, Ellis, Fisher, Forbes, Fuchs, Galvin, M. Hanson, Jore, Kasten, Keenan, Mills, Murdock, Orr, Rehbein, Sliter, S. Smith, Somerville, Wagner, Wyatt.

Total 22

Excused: None.

Total 0

Absent or not voting: Grady, Mr. Speaker.

Total 2

HB 578 - Representative R. Johnson moved HB 578 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: DeBruycker, Jore, Kasten, Rehbein, S. Smith, Vick, Wagner.

Total 7

Excused: None.

Total 0

Absent or not voting: Curtiss, Feland, Fuchs, Galvin, Grady, Grinde.

Total 6

HB 307 - Representative Zook moved HB 307, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 19.

Strike: "\$75,000"

Insert: "\$61,165"

2. Page 4, line 20.

Strike: "\$60,000"

Insert: "\$83,312"

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Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Clark, Devaney, Feland, Fuchs, Grinde.

Total 5

Representative Harrington moved HB 307, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Feland, Fuchs, Grinde, Molnar.

Total 4

HB 490 - Representative Squires moved HB 490 do pass. Motion carried as follows:

Ayes: Ahner, Arnott, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ewer, Galvin, Grady, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Ryan,

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Schwinden, Shea, Simon, L. Smith, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 63

Noes: Anderson, Barnett, Bergman, Boharski, Brainard, DeBruycker, Denny, Fisher, Fuchs, Green, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Marshall, Martinez, McGee, Murdock, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Taylor, Vick, Wagner, Wells.

Total 32

Excused: None.

Total 0

Absent or not voting: Ellis, Feland, Forbes, Grimes, Wiseman.

Total 5

HB 365 - Representative Cobb moved HB 365 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: DeBruycker, R. Johnson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 603 - Representative Bergsagel moved HB 603, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 14.

Insert: "**NEW SECTION.** Section 4. Specific terms for Prescott house and campus drive improvements. For the authorization to the university of Montana-Missoula for the Prescott house project, the university is prohibited from substantially altering or changing the configuration of campus drive."

Renumber: subsequent sections.

2. Page 1, line 16.

Page 2, line 16.

Strike: "5"

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Insert: "6"

The purpose of this amendment is to prohibit the university from "straightening out" campus drive. However, improvements to the condition of the road in its current design are permissible.

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: DeBruycker, Elliott, Hayne, Heavy Runner, Kasten, Peck, Ream, S. Smith, Story, Trexler, Wennemar.
Total 11

Excused: None.
Total 0

Absent or not voting: Feland, Fuchs, Tuss.
Total 3

Representative Kadas moved HB 603, second reading copy, be further amended as follows (amendment #2):

1. Page 1, line 29.
Following: "PRIVATE"
Insert: "and auxiliary"

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Grimes, Hayne, R. Johnson, McGee, S. Smith, Trexler, Wagner.
Total 7

Excused: None.
Total 0

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Absent or not voting: Feland, Fuchs, Vick.

Total 3

Representative Zook moved HB 603, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb, Grimes.

Total 2

Excused: None.

Total 0

Absent or not voting: Feland, Grinde, Hagener.

Total 3

HB 602 - Representative Kitzenberg moved HB 602, second reading copy, be amended as follows (amendment #1):

1. Page 4, line 1.

Following: "FORWARD"

Insert: "for 7 tax years"

2. Page 4, line 2.

Strike: "7"

Insert: "3"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Fisher, R. Johnson, Keenan.

Total 4

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Excused: None.
Total 0

Absent or not voting: Bergsagel, Feland, Wiseman.
Total 3

Representative Kitzenberg moved consideration of HB 602 be placed at the bottom of the second reading board.
Motion carried.

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried.
Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Grinde moved that the Committee of the Whole report be adopted. Report adopted. (86-3)

Representative Grinde moved the House recess until 1:30 p.m. Motion carried.

House recessed at 12:30 p.m.

House reconvened at 1:30 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Devaney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 189 - Representative Bergsagel moved HB 189 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 95

Noes: Feland, Fuchs, Wagner, Zook.
Total 4

Excused: None.
Total 0

Absent or not voting: Harrington.
Total 1

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HB 599 - Representative Mercer moved HB 599, second reading copy, be amended as follows (amendment #1):

1. Page 6, lines 8 and 9.

Following: "from the" on line 8

Strike: remainder of line 8 through "fund" on line 9

Insert: "amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2)"

2. Page 6, line 16.

Strike: "ANNUAL" through "fund"

Insert: "amount in the coal severance tax bond fund in excess of the amount that is specified in subsection (2)"

3. Page 9, line 21.

Strike: "fund"

Insert: "special revenue account"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Fuchs, Kitzenberg.

Total 2

Representative Mercer moved HB 599, as amended, do pass.

Representative Peck made a substitute motion that HB 599, as amended, do not pass. Motion failed as follows:

Ayes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 31

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox,

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Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 69

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Cobb moved HB 599, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows:

Ayes: Arnott, Bergman, Bergsagel, Cobb, DeBruycker, Ewer, Feland, Heavy Runner, Jore, Kasten, Keenan, Larson, Menahan, Rehbein, Trexler, Tuss, Wagner.
Total 17

Noes: Ahner, Anderson, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 83

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Wiseman moved HB 599, second reading copy, be further amended as follows (amendment #3):

1. Page 2, line 24.

Strike: "HAS" through "FOR"

Insert: "shows promise for enhancing technology-based sectors of Montana's economy or promise for"

2. Page 2, line 25.

Strike: "the" through "state"

Insert: "discoveries"

3. Page 2, line 30.

Strike: "and"

4. Page 3, line 2.

Following: "project"

Insert: "; and"

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(h) verification that the project was awarded based on its scientific merit, following review by a recognized federal agency or philanthropic foundation"

5. Page 4, line 15.

Following: "."

Insert: "Two of the members listed in subsections (1) (a) through (1) (i) must be scientists with active research programs under their management."

Amendment #3 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 85

Noes: Carey, Cocchiarella, Ewer, Grimes, Hagener, Heavy Runner, Hurdle, R. Johnson, Larson, Ohs, Pavlovich, Peck, Raney, Ream.

Total 14

Excused: None.

Total 0

Absent or not voting: Elliott.

Total 1

Representative Cobb excused at this time.

Debate on HB 599 closed at this time.

Representative Mercer moved HB 599, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 64

Noes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wagner, Wennemar, Wyatt.

Total 36

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Voted Absentee: Cobb, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Devaney moved that the Committee of the Whole report be adopted. Report adopted. (82-10)

REPORTS OF STANDING COMMITTEES

JUDICIARY (Clark, Chairman):
SB 13, be amended as follows:

3/23/95

1. Title, lines 10 and 11.
Strike: "PROHIBITING" on line 10 through "PAY:" ON LINE 11

2. Title, line 12.
Strike: "SECTIONS 33-16-201 AND"
Insert: "SECTION"

3. Page 2, lines 5 through 8.
Strike: "A" on line 5 through end of line 8

4. Page 2, line 17 through line 23 of page 3.
Strike: section 2 in its entirety

And, as amended, be concurred in. Report adopted.

SB 90, be amended as follows:

1. Page 1, line 17.
Following: "A"
Insert: "person who is designated, as a"

2. Page 1, line 18.
Following: "instructor"
Insert: "by the department of fish, wildlife, and parks under 87-2-105 or certified as an instructor by a national firearms association, who trains people in the lawful use of firearms, and"

And, as amended, be concurred in. Report adopted.

SB 143, be amended as follows:

1. Title, lines 12 and 13.

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Strike: "ALLOW REJECTION OF"

Insert: "ASSERT MONTANA'S RIGHT TO REJECT"

2. Page 2, lines 16 through 22.

Strike: "IT IS" on line 16 through "AFFECTED." on line 22

Insert: "The state of Montana has the right to reject any attempt by the federal government to usurp the state's power by forced federal mandates, orders, directions, or commands derived from powers not enumerated in or otherwise granted by the United States constitution, especially when individual freedoms are affected or other constitutional protections are compromised."

3. Page 2, lines 24 and 25.

Strike: subsection (3) in its entirety

4. Page 2, line 30.

Page 3, line 2.

Strike: "allowing rejection of"

Insert: "asserting Montana's right to reject"

5. Page 3, lines 1 and 3.

Strike: "enumerated in or otherwise"

And, as amended, be concurred in. Report adopted.

SB 316, be amended as follows:

1. Title, line 10.

Following: "SEIZE"

Strike: ", "

Insert: "OR"

2. Title, line 11.

Strike: ", OR FORFEIT"

3. Page 4, line 5.

Following: "seizure"

Strike: " 1 "

Insert: "of vehicle or"

Following: "rendering"

Insert: "vehicle"

Following: "inoperable"

Strike: " 1 "

4. Page 4, line 6.

Strike: "and forfeiture of vehicle"

5. Page 4, lines 24 through 26.

Strike: subsection (6) in its entirety

Renumber: subsequent subsection

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And, as amended, be concurred in. Report adopted.

SB 333, be amended as follows:

1. Title, lines 7 and 9.

Following: "INFLUENCE"

Insert: "OR WITH EXCESSIVE ALCOHOL CONCENTRATION"

2. Title, line 11.

Following: "SERVICES;"

Insert: "REQUIRING AT LEAST 1 YEAR OF TREATMENT FOLLOW UP AFTER A SECOND OR SUBSEQUENT CONVICTION;"

3. Title, line 12

Strike: "SECTION"

Insert: "SECTIONS"

Following: "~~61-11-101~~"

Insert: "AND 61-8-722"

4. Page 4, line 10.

Following: "counselors."

Insert: "On a second or subsequent conviction, the treatment program must include follow up procedures determined necessary by the counselor for a period of at least 1 year from the date of admission to the program. A court may not order a defendant to attend or participate in a self-help program not specifically recommended by the approved program providing services to the defendant under this subsection."

5. Page 6, line 4.

Insert: "Section 2. Section 61-8-722, MCA, is amended to read:

"61-8-722. Penalty for driving with excessive alcohol concentration. (1) Except as provided in subsection (7), a person convicted of a violation of 61-8-406 shall be punished by imprisonment for not more than 10 days and shall be punished by a fine of not less than \$100 or more than \$500.

(2) Except as provided in subsection (7), on a second conviction of a violation of 61-8-406, ~~he~~ a person shall be punished by imprisonment for not less than 48 consecutive hours or more than 30 days and by a fine of not less than \$300 or more than \$500.

(3) (a) Except as provided in subsection (7), on a third or subsequent conviction of a violation of 61-8-406, ~~he~~ a person shall be punished by imprisonment for not less than 48 consecutive hours or more than 6 months and by a fine of not less than \$500 or more than \$1,000.

(b) (i) On the third or subsequent conviction, the court, in addition to any other penalty imposed by law, shall order the motor vehicle owned and operated by the person at the time of the offense to be seized and subjected to the procedure provided under 61-8-421.

(ii) A vehicle used by a person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture unless it appears that the owner or other person in charge of the vehicle consented to or was privy to the violation. A vehicle may not be forfeited under this section for any act or omission established by the owner to have been committed or omitted by a person other than the owner while the vehicle was unlawfully in the possession of a person other than the owner in violation of the criminal laws of this state or the United States.

(iii) Forfeiture of a vehicle encumbered by a security interest is subject to the secured person's interest if the person did not know and could not have reasonably known of the unlawful possession, use, or other act on which the forfeiture is sought.

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(4) The provisions of 61-5-205(2), 61-5-208(2), and 61-11-203(2)(d), relating to revocation and suspension of driver's licenses, apply to any conviction under 61-8-406.

(5) In addition to the punishment provided in this section, regardless of disposition, the defendant shall complete an alcohol information course at an alcohol treatment program approved by the department of corrections and human services, which ~~may~~ must include alcohol or drug treatment, or both, ~~if considered necessary by the counselor conducting the program~~ in accordance with the provisions of 61-8-714. Each counselor providing education or treatment shall, at the commencement of the education or treatment, notify the court that the defendant has been enrolled in a course or treatment program. If the defendant fails to attend the course or the treatment program, the counselor shall notify the court of the failure.

(6) For the purpose of determining the number of convictions under this section, "conviction" means a final conviction, as defined in 45-2-101, in this state or a similar statute in another state or a forfeiture of bail or collateral deposited to secure the defendant's appearance in court in this state or another state, which forfeiture has not been vacated. An offender is considered to have been previously convicted for the purposes of sentencing if less than 5 years have elapsed between the commission of the present offense and a previous conviction. If there has been no additional conviction for an offense under this section for a period of 5 years after a prior conviction under this section, then the prior offense must be expunged from the defendant's record.

(7) The court may order that a term of imprisonment imposed under this section be served in another facility made available by the county and approved by the sentencing court. The defendant, if financially able, shall bear the expense of the imprisonment in the facility. The court may impose restrictions on the defendant's ability to leave the premises of the facility and require that the defendant follow the rules of that facility. The facility may be, but is not required to be, a community-based prerelease center as provided for in 53-1-203. The prerelease center may accept or reject a defendant referred by the sentencing court.

(8) Except for the initial 24 hours on a first offense or the initial 48 hours on a second or subsequent offense, the court may order that a term of imprisonment imposed under this section be served by imprisonment under home arrest as provided in Title 46, chapter 18, part 10."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Knox, Chairman):

3/23/95

SB 330, be amended as follows:

1. Page 3, line 1.

Strike: "property" through "directly"

Insert: "real property interest, a water right, or an economic interest that is or may be directly and adversely"

And, as amended, be concurred in. Report adopted.

SB 387, be amended as follows:

1. Title, line 9.

Strike: "AUTHORIZING" through "APPOINT"

Insert: "ESTABLISHING"

2. Title, line 10.

Following: "85-2-226,"

Insert: "3-7-103,"

Following: "85-2-233,"

Insert: ", "

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3. Page 5, line 29 through page 6, line 16.

Strike: section 1 in its entirety

Insert: "Section 1. Section 3-7-103, MCA, is amended to read:

"3-7-103. Promulgation of rules and prescription of forms -- advisory committee. (1) As soon as practicable the Montana supreme court may promulgate special rules of practice and procedure and shall prescribe forms for use in connection with this chapter and Title 85, chapter 2, parts 2 and 7, in consultation with the water judge and the department of natural resources and conservation.

(2) (a) The chief water judge shall appoint a water adjudication advisory committee to provide recommendations to the water court, the Montana supreme court, the department of natural resources and conservation, and the legislature on methods to improve and expedite the water adjudication process.

(b) The committee consists of three nongovernmental attorneys who practice before the water court, one district court judge, and three water users who have filed statements of claim with the department of natural resources and conservation under this chapter.

(c) The chief water judge or the judge's designee shall serve as an ex officio member of the committee. The Montana supreme court may appoint the attorney general or the attorney general's designee, a representative from the department of natural resources and conservation, and a representative of the United States government as ex officio members of the committee.

(d) The committee members shall serve at the pleasure of the water court and shall serve without compensation.

(e) The committee shall file a report with the Montana supreme court by October 1, 1996, and as often as determined by the Montana supreme court."

Renumber: subsequent sections

4. Page 9, lines 1 through 3.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

3/23/95

HB 589, introduced bill, do pass. Report adopted.

HB 591, introduced bill, be amended as follows:

1. Title, line 11.

Strike: "IMPOSING A FEE ON CERTAIN VEHICLES;"

2. Title, line 12.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "61-3-321, AND 61-3-510,"

3. Page 4, line 12.

Page 6, line 20.

Page 6, line 21.

Page 10, line 13.

Page 14, line 8.

Page 14, line 9.

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Strike: "12"

Insert: "11"

4. Page 10, lines 27 and 28.

Strike: "from" on line 27 through "12]" on line 28

5. Page 11, lines 1 through 20.

Strike: section 12 in its entirety

Renumber: subsequent sections

6. Page 12, line 1.

Strike: "12"

Insert: "11"

7. Page 12, line 3 through page 14 line 3.

Strike: sections 14 and 15 in their entirety

Insert: "NEW SECTION. Section 13. Appropriation. There is appropriated to the department of health and environmental sciences from the general fund \$366,162 for the fiscal year ending June 30, 1996, and \$854,379 for the fiscal year ending June 30, 1997, to implement [sections 1 through 11]."

Renumber: subsequent sections

8. Page 14, line 11.

Strike: "16"

Insert: "14"

9. Page 14, line 13.

Following: "10,"

Insert: "and"

Strike: ", and 13"

10. Page 14, line 15.

Strike: subsection (3) in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HJR 28, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "an appropriate interim committee, the Revenue Oversight Committee,"

2. Page 1, line 23.

Strike: ", or a collaboration between the committees"

And, as amended, do pass. Report adopted.

Representative Grinde moved the House recess until 4:45 p.m. Motion carried.

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House recessed at 3:40 p.m.

House reconvened at 4:45 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Devaney in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 378 - Representative Zook moved HB 378, second reading copy, be amended as follows (amendment #1):

1. Title, line 10.

Strike: "AND"

2. Title, line 11.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 3, line 5.

Insert: "

NEW SECTION. Section 3. Coordination -- effective dates. (1) If House Bill No. 357 and [this act] are both passed and approved:

(a) [sections 1 and 2] of this act are effective July 1, 1997; and

(b) the sentencing commission shall include recommendations for implementing the public policy contained in [sections 1 and 2] of this act.

(2) This section is effective July 1, 1995.

(3) If House Bill No. 357 is not passed and approved, then this section is void."

Amendment #1 passed as follows:

Ayes: Ahner, Arnott, Barnett, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Carey, Ellingson, Ewer, Harper, Kadas, Ream, Schwinden, Squires, Tropila.

Total 9

Excused: Barnhart, Cobb.

Total 2

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Absent or not voting: Anderson, Bergman, Denny, Elliott, Grady, Keenan, Tuss, Wennemar.
Total 8

Representative Barnhart excused at this time.

Representative Jore moved HB 378, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Jore, Kitzenberg, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Orr, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 55

Noes: Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Knox, Larson, McCulloch, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 39

Voted Absentee: Cobb, No.

Excused: Barnhart.
Total 1

Absent or not voting: Anderson, Bergman, Denny, Fisher, Keenan.
Total 5

HB 544 - Representative Tuss moved HB 544 do pass. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ewer, Fisher, Fuchs, Galvin, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, McKee, Menahan, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Sliter, L. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 64

Noes: Anderson, Arnott, Bergman, Bergsagel, Boharski, Feland, Forbes, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hibbard, Jore, Kasten, Knox, Marshall, Masolo, McGee, Mills, Molnar, Nelson, Orr, Rehbein, Simon, Simpkins, S. Smith, Soft, Tash, Vick, Wagner, Wells, Wiseman.
Total 34

Voted Absentee: Barnhart, Cobb, Ayes.

Excused: None.
Total 0

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Absent or not voting: Devaney, Ellis.

Total 2

HB 605 - Representative Grady moved HB 605 do pass.

Representative Hagener moved HB 605, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Ahner, Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 38

Noes: Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 60

Voted Absentee: Barnhart, Aye.

Excused: Cobb.

Total 1

Absent or not voting: Taylor.

Total 1

The do pass motion of Representative Grady carried as follows:

Ayes: Ahner, Arnott, Barnett, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Noes: Anderson, Barnhart, Bergman, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 40

Voted Absentee: Cobb, Aye; Barnhart, No.

Excused: None.

Total 0

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Absent or not voting: Taylor.

Total 1

HB 540 - Representative Molnar moved HB 540 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar.

Total 27

Voted Absentee: Barnhart, Cobb, Noes.

Excused: None.

Total 0

Absent or not voting: Orr.

Total 1

HB 576 - Representative Grady moved HB 576, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 28.

Strike: "(5)"

Insert: "(6)"

2. Page 4, line 6.

Following: "(1)"

Strike: "Money"

Insert: "Except as provided in subsection (5), money"

These two technical amendments clarify language in the bill. The first amendment clarifies that the exception to the budget amendment criteria includes funds necessary to meet matching requirements in order to receive a grant. The second amendment clarifies that subsection (5) is an exception to the disbursement of money from the treasury language.

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel,

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Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, Forbes, S. Smith.

Total 3

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Molnar.

Total 1

Representative Grady moved HB 576, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, Carey, Cobb, Ellingson, Ewer, Forbes, Harper, Kitzenberg, Kottel.

Total 9

Voted Absentee: Barnhart, Aye; Cobb, No.

Excused: None.

Total 0

Absent or not voting: Heavy Runner.

Total 1

HB 542 - Representative Tash moved HB 542 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 85

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Noes: Arnott, Bergsagel, Boharski, Forbes, Grimes, Jore, Kasten, Keenan, Kottel, Rehbein, S. Smith, Vick.
Total 12

Voted Absentee: Barnhart, Aye.

Excused: Cobb.
Total 1

Absent or not voting: DeBruycker, Trexler.
Total 2

HB 528 - Representative Taylor moved HB 528 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Barnhart, Bergsagel, Elliott, Heavy Runner, Kadas, Larson, McCann, Ream, Wennemar.
Total 9

Voted Absentee: Cobb, Aye; Barnhart, No.

Excused: None.
Total 0

Absent or not voting: Kitzenberg.
Total 1

HB 602 - Representative Kitzenberg moved HB 602, second reading copy, be further amended as follows (amendment #2):

1. Title, line 7.
Strike: "MAY"
Insert: "MUST"

2. Page 2, line 27.
Strike: "A loan"
Insert: "The total amount of loans"
Following: "million"
Strike: "or"
Insert: ", and a single loan may not"

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3. Page 3, lines 18 and 20

Strike: "may"

Insert: "must"

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Curtiss, DeBruycker, Forbes, Orr, Rehbein, S. Smith, Wagner.

Total 7

Voted Absentee: Barnhart, Aye.

Excused: Cobb.

Total 1

Absent or not voting: Kasten, Keenan, Rose.

Total 3

Representative Kitzenberg moved HB 602, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Tash, Tropila, Tuss, Wennemar, Wiseman, Wyatt.

Total 67

Noes: Arnott, Barnhart, Bergsagel, Cobb, Curtiss, DeBruycker, Feland, Forbes, Grady, M. Hanson, Harper, Hurdle, Jore, Kadas, Kasten, Keenan, Martinez, McCann, Murdock, Orr, Ream, Rose, S. Smith, Somerville, Stovall, Swanson, Taylor, Trexler, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 33

Voted Absentee: Barnhart, Cobb, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Devaney moved that the Committee of the Whole report be adopted. Report adopted. (85-11)

MOTIONS

HB 580 - Representative Ryan moved HB 580 be taken from the table in the Committee on Business & Labor, printed, and placed on second reading this legislative day. Motion failed. (40-55)

HB 526 - Representative Swanson moved HB 526 be taken from the table in the Committee on Business & Labor, printed, and placed on second reading this legislative day. Motion failed. (32-66)

SB 136 - Representative Cocchiarella moved that sponsors be added to SB 136. Motion carried.

HB 349 - Representative Simon moved he be allowed to change his vote on HB 349, second reading, from not voting to aye. Motion carried.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/23/95

Correctly printed for second reading: HB 528, HB 542, HB 576, HB 589, HB 591, HB 600, HJR 28.

Correctly engrossed for third reading: HB 189, HB 307, HB 349, HB 365, HB 378, HB 490, HB 493, HB 528, HB 540, HB 542, HB 544, HB 576, HB 578, HB 599, HB 602, HB 603, HB 605.

Correctly enrolled: HB 84.

Examined by the sponsor and found to be correct: HB 55, HB 84.

FISH & GAME (Wagner, Chairman): 3/23/95

HB 600, introduced bill, be amended as follows:

1. Title, line 15.

Strike: "GREYCLIFF PRAIRIE DOG TOWN STATE PARK"

Insert: "BIG PINE MANAGEMENT AREA"

2. Page 4, line 12.

Strike: "Greycliff Prairie Dog Town state park"

Insert: "Big Pine management area"

And, as amended, do pass. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 297 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady,

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Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Boharski, Kasten, Keenan, Rehbein, Somerville.

Total 6

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 479 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bohlinger, Brainard, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Herron, Holland, Hurdle, R. Johnson, Kasten, Keenan, Knox, Martinez, McGee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rose, Ryan, Simon, Simpkins, Sliter, S. Smith, Soft, Stovall, Taylor, Tuss, Vick, Wagner, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 58

Noes: Bergsagel, Boharski, Carey, Clark, Cocchiarella, Ellis, Feland, Galvin, Grady, Harrington, Hayne, Heavy Runner, Hibbard, J. Johnson, Jore, Kadas, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Molnar, Pavlovich, Quilici, Ream, Rehbein, Schwinden, Shea, L. Smith, Somerville, Squires, Story, Swanson, Tash, Trexler, Tropila, Wells, Wyatt.

Total 41

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 460 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee,

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McKee, Menahan, Mills, Molnar, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Boharski, DeBruycker, Devaney, Grimes, Jore, Kasten, Keenan, McCann, Murdock, Rehbein, Wagner.
Total 11

Excused: Barnhart, Cobb.
Total 2

Absent or not voting: Fuchs, Ohs.
Total 2

HB 390 passed as follows:

Ayes: Arnott, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Feland, Fisher, Galvin, Green, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Squires, Story, Swanson, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 62

Noes: Ahner, Anderson, Barnett, Bergman, Boharski, Brainard, Curtiss, DeBruycker, Devaney, Ewer, Forbes, Fuchs, Grady, Grimes, M. Hanson, Hayne, Holland, R. Johnson, Jore, Kasten, Keenan, Marshall, Martinez, Mills, Murdock, Orr, Rehbein, L. Smith, S. Smith, Somerville, Stovall, Tash, Taylor, Vick, Wagner, Zook.
Total 36

Voted Absentee: Cobb, Aye.

Excused: Barnhart.
Total 1

Absent or not voting: Grinde.
Total 1

HB 222 failed as follows:

Ayes: Arnott, Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCann, McCulloch, McGee, Menahan, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 45

Noes: Ahner, Anderson, Barnett, Bergman, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McKee, Mills, Molnar, Murdock, Orr, Rehbein, Simon,

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Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 51

Voted Absentee: Barnhart, Aye.

Excused: Cobb.

Total 1

Absent or not voting: Bergsagel, Boharski, Wagner.

Total 3

HB 521 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Bohlinger, Brainard, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Grimes, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kottel, McCulloch, Menahan, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Shea, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 35

Voted Absentee: Cobb, Aye; Barnhart; No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 416 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Bergman, Bergsagel, Boharski, Clark, DeBruycker, Devaney, Feland, Fuchs, Green, M. Hanson, Hayne, Jore, Kasten, Keenan, Martinez, McGee, Murdock, Nelson, Orr, Rehbein, Sliter, S. Smith, Somerville, Story,

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Taylor, Vick, Wagner, Wells.

Total 28

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 514 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Nelson.

Total 1

HB 552 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

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Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Fuchs, McCann.

Total 2

HB 573 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: DeBruycker, Ellingson, Ewer, Fuchs, Hagener, Harper, Hurdle, Keenan, Larson, Rehbein, S. Smith.

Total 11

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Swanson.

Total 1

HB 577 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Martinez.

Total 1

Voted Absentee: Barnhart, Aye.

Excused: Cobb.

Total 1

Absent or not voting: None.

Total 0

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HB 21 failed as follows:

Ayes: Arnott, Bergsagel, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Squires, Swanson, Tropila, Tuss, Wagner, Wennemar, Wyatt.

Total 45

Noes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McGee, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 51

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Heavy Runner, Mills.

Total 2

HB 567 failed as follows:

Ayes: Bergman, Carey, Cocchiarella, Ellingson, Forbes, Fuchs, Harrington, Hibbard, Kadas, Quilici, Raney, Ream, Schwinden, Shea, Soft, Squires, Tropila, Wyatt.

Total 18

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ewer, Feland, Fisher, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 80

Voted Absentee: Barnhart, No.

Excused: Cobb.

Total 1

Absent or not voting: Ellis.

Total 1

HB 493 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady,

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Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 85

Noes: Boharski, DeBruycker, Fuchs, Hayne, Jore, Kasten, Murdock, Orr, Rehbein, S. Smith, Vick, Wagner.
Total 12

Voted Absentee: Cobb, Aye.

Excused: Barnhart.
Total 1

Absent or not voting: Harper, Ohs.
Total 2

HB 578 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: DeBruycker, Jore, Kasten, Keenan, Rehbein, Vick, Wagner.
Total 7

Voted Absentee: Cobb, Aye.

Excused: Barnhart.
Total 1

Absent or not voting: Fisher, Marshall.
Total 2

HB 307 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills,

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Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Cobb, Aye.

Excused: Barnhart.
Total 1

Absent or not voting: None.
Total 0

HB 490 passed as follows:

Ayes: Ahner, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, L. Smith, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 66

Noes: Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Curtiss, DeBruycker, Denny, Fisher, Green, Grinde, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Martinez, McGee, Murdock, Rehbein, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Taylor, Vick, Wagner, Wells.
Total 32

Voted Absentee: Cobb, Aye.

Excused: Barnhart.
Total 1

Absent or not voting: Clark.
Total 1

HB 349 passed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss,

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Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Arnott, Boharski, Curtiss, Devaney, Ellis, Fisher, M. Hanson, Hayne, Jore, Kasten, Mills, Murdock, Orr, Rehbein, Sliter, S. Smith, Somerville, Wagner.

Total 18

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 365 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: DeBruycker, Herron, R. Johnson.

Total 3

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: Hurdle, Larson.

Total 2

HB 603 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

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Noes: Cobb, S. Smith.

Total 2

Voted Absentee: Cobb, No.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 602 passed as follows:

Ayes: Ahner, Barnett, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, Harrington, Hayne, Heavy Runner, Hibbard, Holland, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Stovall, Tash, Tropila, Tuss, Wiseman, Wyatt.

Total 63

Noes: Anderson, Arnott, Bergsagel, Boharski, Brainard, Cobb, Curtiss, DeBruycker, Feland, Grady, Green, M. Hanson, Harper, Herron, Hurdle, Jore, Kadas, Kasten, Keenan, Martinez, Murdock, Orr, Ream, Rehbein, Rose, S. Smith, Somerville, Swanson, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 36

Voted Absentee: Cobb, No.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 189 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 94

Noes: Feland, Fuchs, Grady, Wagner, Zook.

Total 5

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Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 378 passed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Jore, Keenan, Kitzenberg, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Raney, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 63

Noes: Arnott, Bergsagel, Carey, Cobb, Cocchiarella, Devaney, Ellingson, Ewer, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Knox, Kottel, Larson, McCulloch, Pavlovich, Peck, Quilici, Ream, Rehbein, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar, Wyatt.
Total 36

Voted Absentee: Cobb, No.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 544 passed as follows:

Ayes: Ahner, Barnett, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Hagener, Harper, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, L. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt, Mr. Speaker.
Total 64

Noes: Anderson, Arnott, Bergman, Bergsagel, Boharski, DeBruycker, Feland, Forbes, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Herron, Jore, Kasten, Knox, McGee, Mills, Molnar, Nelson, Orr, Rehbein, Simon, Simpkins, Sliter, S. Smith, Soft, Tash, Vick, Wagner, Wells, Wiseman.
Total 35

Voted Absentee: Cobb, Aye.

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Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 605 passed as follows:

Ayes: Ahner, Arnott, Barnett, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Feland, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Noes: Anderson, Bergman, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, McCann, McCulloch, McKee, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 37

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: Ellis, Forbes, Taylor.

Total 3

HB 540 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 74

Noes: Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, McCulloch, Pavlovich, Peck, Quilici, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 25

Voted Absentee: Cobb, No.

Excused: Barnhart.

Total 1

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Absent or not voting: None.

Total 0

HB 576 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, Cobb, Kottel.

Total 3

Voted Absentee: Cobb, No.

Excused: Barnhart.

Total 1

Absent or not voting: None.

Total 0

HB 542 passed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Arnott, Bergsagel, Boharski, DeBruycker, Grimes, Jore, Kasten, Keenan, Rehbein, S. Smith, Vick.

Total 11

Excused: Barnhart, Cobb.

Total 2

Absent or not voting: None.

Total 0

HB 528 passed as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Kadas, Larson, McCann, Ream, Tuss, Wennemar.

Total 7

Voted Absentee: Cobb, Aye.

Excused: Barnhart.

Total 1

Absent or not voting: Brainard.

Total 1

MOTIONS

HB 521 - Representative Kottel moved she be allowed to change her vote on the motion of Representative Ryan to take HB 521 from the table and place it on second reading this legislative day, from not voting to aye. Motion carried.

HB 521 - Representative Ellingson moved he be allowed to change his vote on HB 521, third reading, from aye to nay. Motion carried.

HB 528 - Representative Taylor moved she be allowed to change her vote on HB 528, third reading, from not voting to aye. Motion carried.

HB 416 - Representative Mills moved he be allowed to change his vote on HB 416, third reading, from not voting to aye. Motion carried.

HB 544 - Representative Knox moved he be allowed to change his vote on HB 544, third reading, from aye to nay. Motion carried.

REPORTS OF STANDING COMMITTEES

STATE/FEDERAL RELATIONS (Curtiss, Chairman):

3/22/95

SB 167 - We, the committee on **State/Federal Relations**, at our meeting of March 21, 1995, voted unanimously to make a formal request of the Legislative Finance Committee to put on their work agenda the monitoring of the implementation of SB 167 if it passes.

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Friday, March 24, 1995. Motion carried.

House adjourned at 7:25 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 24, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Pastor David Orendorff. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative McCann, excused. Quorum present.

Representatives Arnott and Fisher excused at this time.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES & AGING (Grimes, Chairman):
SB 293, be amended as follows:

3/23/95

1. Page 6, line 27.

Page 7, line 8

Strike: ", incomplete, inaccurate, or misleading"

2. Page 6, lines 28 and 29.

Strike: ", incompleteness, inaccuracy, or misleading nature"

3. Page 7, line 8.

Following: "made"

Insert: ", resulting in a claim for a service or item when the person knew or had reason to know that the person was not entitled under applicable statutes, regulations, rules, or policies to medicaid payment or benefits for the service or item or for the amount of payment requested or claimed"

4. Page 7.

Following: line 13

Insert: "(6) The department shall directly or by contract provide a program of instruction and assistance to persons submitting applications, claims, reports, documents, and other information to the department concerning the completion and submission of the application, claim, report, document, or other information in a manner determined necessary by the department. The program must include:

(a) clear directions for the completion of applications, claims, reports, documents, and other information;

(b) examples of properly completed applications, claims, reports, documents, and other information;

(c) a method by which persons submitting applications, claims, reports, documents, and other information may, on a case-by-case basis, receive accurate, complete, specific, and timely advice and directions from the department before the completed applications, claims, reports, documents, and other information must be submitted to the department; and

(d) a method by which persons submitting applications, claims, reports, documents, and other information may challenge the department's interpretation or application of the manner in which the applications, claims, reports, documents, and other information must be completed.

(7) This section applies only for the purpose of civil liability under Title 53 and does not apply in a criminal proceeding."

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5. Page 7, line 19.

Strike: ", incomplete, inaccurate,"

6. Page 7, line 20.

Following: "agency"

Insert: "for a service or item when the person knows or has reason to know that the person is not entitled under applicable statutes, regulations, rules, or policies to medicaid payment or benefits for the service or item or for the amount of payment requested or claimed"

7. Page 8, line 14.

Following: "authorization"

Insert: "or advice"

8. Page 24, line 13.

Strike: "or imposition of sanctions"

And, as amended, be concurred in. Report adopted.

SB 388, be concurred in. Report adopted.

SB 395, be amended as follows:

1. Title, lines 5 and 6.

Strike: "PROVIDING" on line 5 through "NURSE;" on line 6

2. Title, line 11.

Strike: "2-15-1844,"

Following: "37-8-202"

Strike: " 1 "

Following: "PROVIDING"

Insert: "AN IMMEDIATE"

Strike: "DATES"

Insert: "DATE"

3. Page 1, line 27 through line 2 on page 3.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 6.

Strike: "10"

Insert: "nine"

5. Page 6, line 10.

Strike: "DATES"

Insert: "date"

6. Page 6, lines 10 through 12.

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Strike: "(1)" on line 10 through "ARE" on line 12

Insert: "[This act] is"

And, as amended, be concurred in. Report adopted.

SB 416, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

3/23/95

HB 84, introduced by Story

Senate bills passed and transmitted to the House for concurrence:

3/23/95

SB 338, introduced by Jergeson

SB 366, introduced by Cole

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 117 sponsored by Representatives Anderson et al. on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 22, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 166 sponsored by Representative McGee on March 22, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 62 sponsored by Representative M. Hanson on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 100 sponsored by Representative McKee on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 135 sponsored by Representative Cobb on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

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Please be informed that I have signed House Bill 137 sponsored by Representative Story on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 169 sponsored by Representatives Orr et al. on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 185 sponsored by Representatives Bergsagel et al. on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 245 sponsored by Representative Ahner on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 253 sponsored by Representatives Barnhart et al. on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 318 sponsored by Representative Rose on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 319 sponsored by Representatives Tropila and Galvin on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

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Dear Representative Mercer:

Please be informed that I have signed House Bill 381 sponsored by Representative Knox on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 474 sponsored by Representative Cobb on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 23, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 520 sponsored by Representative Fuchs on March 23, 1995.

Sincerely,

MARC RACICOT
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time, and referred to committees:

SB 338, introduced by Jergeson, referred to Committee on Taxation.

SB 366, introduced by Cole, referred to Committee on Natural Resources.

Mr. Speaker introduced this week's pages:

Lisa Covert, Hamilton

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Mindy Durr, Choteau
Gretchen Iman, Hamilton
Korin Youngberg, Belgrade
Ashley Adams, Helena
Peter Taylor, Kirby
Lisa Hinebauch, Belgrade
Robert Peterson, Buffalo (permanent page)
Kathryn Trieweiler, Helena (permanent page)

Honorary Pages

Rachel Peterson, Helena
Sarah Hainlin, Helena
Nick Schwinden, Wolf Point

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 587 - Representative Quilici moved HB 587 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Hurdle.

Total 1

Voted Absentee: Arnott, Fisher, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Elliott, Tuss.

Total 2

HB 588 - Representative Ohs moved HB 588 do pass. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Barnhart, Hagener.

Total 2

Voted Absentee: Arnott, Fisher, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 598 - Representative Hibbard moved HB 598 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Schwinden, Trexler.

Total 2

Voted Absentee: Arnott, Fisher, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: Somerville.

Total 1

Representative Arnott present at this time.

HB 601 - Representative Somerville moved HB 601 do pass. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 91

Noes: Devaney, Ellingson, Galvin, Grinde, Heavy Runner, Hurdle, Kottel, Peck, Wyatt.

Total 9

Voted Absentee: Arnott, Fisher, McCann, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 569 - Representative Orr moved HB 569 do pass. Motion carried as follows:

Ayes: Ahner, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ewer, Forbes, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Mr. Speaker.

Total 74

Noes: Anderson, Barnett, Brainard, DeBruycker, Devaney, Ellis, Feland, Fisher, Fuchs, Galvin, Jore, Kasten, Keenan, Kottel, Martinez, Raney, Rehbein, Sliter, S. Smith, Somerville, Trexler, Vick, Wagner, Wyatt, Zook.

Total 25

Voted Absentee: McCann, Aye; Fisher, No.

Excused: None.

Total 0

Absent or not voting: Green.

Total 1

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Representative M. Hanson in the Chair. Chairman Tropila moved that the Committee of the Whole report be adopted. Report adopted. (89-5)

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Representative Grinde moved the House recess until 9:20 a.m. Motion carried.

House recessed at 8:50 a.m.

House reconvened at 9:30 a.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Peck moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Tropila in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 593 - Representative Cobb moved HB 593, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Arnott, Barnhart, Bergsagel, Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Herron, J. Johnson, Kadas, Kasten, Kottel, Larson, Masolo, McCann, McCulloch, McGee, Menahan, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Taylor, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 46

Noes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Clark, Curtiss, Denny, Elliott, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Holland, Hurdle, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, McKee, Mills, Molnar, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 52

Voted Absentee: McCann, Aye.

Excused: Fisher.
Total 1

Absent or not voting: Hibbard.
Total 1

Representative Fisher present at this time.

Representative Denny moved HB 593 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook,

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Mr. Speaker.
Total 64

Noes: Barnhart, Carey, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 35

Voted Absentee: McCann, Noes.

Excused: None.
Total 0

Absent or not voting: Hibbard.
Total 1

HB 363 - Representative Swanson moved consideration of HB 363 be passed for the day. Motion carried.

HB 562 - Representative Wennemar moved HB 562 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Brainard, Clark, DeBruycker, Forbes, McGee, Rehbein, S. Smith.
Total 7

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Boharski, Grady.
Total 2

HB 545 - Representative Murdock moved HB 545 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs,

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Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Feland, Hurdle, Orr.

Total 4

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Boharski, Ellis, Knox, Molnar.

Total 4

HB 589 - Representative Grady moved HB 589 do pass. Motion failed as follows:

Ayes: Ahner, Anderson, Barnett, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Feland, Fuchs, Galvin, Grady, Green, Grimes, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 70

Noes: Arnott, Barnhart, Bergman, Bergsagel, Denny, Ewer, Fisher, Forbes, Grinde, Hagener, H.S. Hanson, M. Hanson, Herron, Hurdle, Kadas, Kottel, Martinez, McCann, Orr, Peck, Ream, S. Smith, Somerville, Story, Tuss, Vick, Wiseman.

Total 27

Voted Absentee: McCann, No.

Excused: None.

Total 0

Absent or not voting: Boharski, Molnar, Taylor.

Total 3

HB 590 - Representative Fuchs moved HB 590 do pass. Motion failed as follows:

Ayes: Ahner, Boharski, Bohlinger, Brainard, Denny, Feland, Forbes, Fuchs, Grinde, H.S. Hanson, M. Hanson, Harper, Hibbard, Holland, J. Johnson, Keenan, Kitzenberg, Kottel, Marshall, McCann, McGee, Nelson, Quilici, Raney, Ream, Ryan, Schwinden, Simpkins, Sliter, Story, Swanson, Taylor, Trexler, Tropila, Wennemar.

Total 35

Noes: Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grady, Green, Grimes, Hagener, Harrington,

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Hayne, Heavy Runner, Herron, Hurdle, R. Johnson, Jore, Kadas, Kasten, Knox, Larson, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Rehbein, Rose, Shea, Simon, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Tash, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 65

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 517 - Representative Kottel moved HB 517 do pass. Motion failed as follows:

Ayes: Ahner, Barnhart, Bergsagel, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McGee, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Soft, Squires, Swanson, Trexler, Tropila, Wennemar.
Total 43

Noes: Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Forbes, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 55

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Somerville, Tuss.
Total 2

HB 591 - Representative Wiseman moved consideration of HB 591 be placed below SB 265 on the second reading board. Motion carried.

HJR 28 - Representative Swanson moved HJR 28 do pass. Motion failed as follows:

Ayes: Barnhart, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, L. Smith, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wiseman.
Total 45

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Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Ohs, Orr, Rehbein, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wyatt, Zook, Mr. Speaker.

Total 55

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 296 - Representative Fisher moved SB 296 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Hagener.

Total 1

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Feland, Fuchs.

Total 2

SJR 17 - Representative DeBruycker moved SJR 17 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

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Total 92

Noes: Grady, Hurdle, Ream, Wyatt.
Total 4

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Feland, Fuchs, R. Johnson, Vick.
Total 4

SB 156 - Representative J. Johnson moved SB 156 be concurred in.

Representative J. Johnson made a substitute motion to move consideration of SB 156 below SB 311 on the second reading board. Motion carried.

SB 265 - Representative McCulloch moved SB 265, second reading copy, be amended as follows (amendment #1):

1. Title, line 4.

Strike: "A TALKING BOOK"

Insert: "AN"

2. Title, lines 5 through 7.

Following: "MONTANANS" on line 5

Strike: remainder of line 5 through "PRINT" on line 6

Following: "LIBRARY" on line 6

Strike: remainder of line 6 through "\$250" on line 7

3. Page 1, line 13.

Strike: "Talking book"

Insert: "Montana state library"

4. Page 1, line 14.

Strike: "talking book"

5. Page 1, lines 18, 23, 24, and 27.

Strike: "talking book"

Insert: "Montana state library"

6. Page 1, line 19.

Strike: "talking book"

7. Page 1, line 22.

Strike: "of \$250 or more"

8. Page 1, line 25.

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Following: "Montanans"
Insert: ", including those"

9. Page 2, line 1.
Strike: "talking book"
Insert: "Montana state library"

10. Page 3, line 3.
Strike: "in the amount of \$250 or more"
Strike: "talking book"
Insert: "Montana state library"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Rehbein.
Total 1

Excused: McCann.
Total 1

Absent or not voting: Ellingson, Feland, Orr, Tuss.
Total 4

Representative Grady moved SB 265, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Boharski, Feland, Fuchs, Jore, Kasten, Rehbein, Vick.
Total 7

Voted Absentee: McCann, Aye.

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Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

HB 591 - Representative Wiseman moved HB 591 do pass.

Representative Wiseman moved HB 591, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Bergman, Bohlinger, Cocchiarella, Denny, Ewer, Feland, Forbes, Galvin, Green, Hagener, Harrington, Hayne, Heavy Runner, Holland, Keenan, Kitzenberg, Kottel, Martinez, Masolo, McGee, Molnar, Ohs, Peck, Quilici, Ryan, Shea, Swanson, Tash, Tropila, Tuss, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 35

Noes: Ahner, Anderson, Arnott, Barnett, Bergsagel, Boharski, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Fisher, Fuchs, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Herron, Hibbard, Hurdle, J. Johnson, Jore, Kadas, Kasten, Knox, Larson, Marshall, McCulloch, McKee, Mills, Murdock, Nelson, Orr, Pavlovich, Raney, Ream, Rehbein, Rose, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Taylor, Trexler, Vick, Wagner, Wells, Wennemar.
Total 62

Excused: McCann.
Total 1

Absent or not voting: R. Johnson, Menahan.
Total 2

Representative Wiseman moved HB 591, second reading copy, be amended as follows (amendment #2):

1. Title, line 12.

Strike: "PROVIDING" through "PROGRAM;"

2. Title, line 13.

Following: line 12

Strike: "PROVIDING AN APPROPRIATION;"

3. Page 4, line 13.

Following: "~~12~~"

Strike: "11"

Insert: "10"

4. Page 6, line 15.

Following: ";

Insert: "and"

5. Page 6, lines 16 and 17.

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Following: line 15
Strike: lines 16 and 17 in their entirety
Renumber: subsequent subsections

6. Page 6, lines 21 and 22.

Following: "~~12~~"

Strike: "11"

Insert: "10"

7. Page 6, line 30.

Following: "part 1;"

Insert: "and"

8. Page 7, lines 1 through 3.

Following: "programs" on line 1

Strike: "; and" through "[section 11]" on line 3

9. Page 7, line 17.

Following: "committees;"

Insert: "and"

10. Page 7, lines 20 through 22.

Following: "system" on line 20

Strike: "; and" through "council" on line 22

11. Page 9, lines 11 and 12.

Strike: lines 11 and 12 in their entirety

Renumber: subsequent subsections

12. Page 10, line 14.

Strike: "11"

Insert: "10"

13. Page 10, line 18, through page 11, line 1.

Strike: Section 11 in its entirety

Renumber: subsequent sections

14. Page 12, line 3.

Strike: "11"

Insert: "10"

15. Page 14, lines 7 through 10.

Strike: Section 13 in its entirety

Renumber: subsequent sections

16. Page 14, lines 15 and 16.

Following: "~~12~~"

Strike: "11"

Insert: "10"

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17. Page 14, line 18.

Following: "~~16~~"

Strike: "14"

Insert: "12"

18. Page 14, line 20.

Strike: "10, AND 12"

Insert: "11"

19. Page 14, line 23.

Strike: line 23 in its entirety

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook.

Total 85

Noes: Elliott, Fisher, Harper, Keenan, Larson, Pavlovich, Raney, Ryan, Swanson, Wennemar.

Total 10

Excused: McCann.

Total 1

Absent or not voting: Grinde, Kottel, McCulloch, Mr. Speaker.

Total 4

Representative Wiseman moved HB 591, as amended, do pass. Motion carried as follows:

Ayes: Arnott, Barnhart, Bohlinger, Cobb, Cocchiarella, Denny, Ellingson, Ewer, Forbes, Fuchs, Galvin, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Sliter, Squires, Swanson, Taylor, Tropila, Tuss, Wiseman, Wyatt.

Total 51

Noes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Carey, Clark, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, McCann, Orr, Rehbein, Schwinden, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 49

Voted Absentee: McCann, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 224 - Representative Bohlinger moved SB 224 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bergsagel.

Total 1

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Menahan, Quilici, Rehbein, Tuss.

Total 4

SB 246 - Representative Ellis moved SB 246 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Barnhart, Bergsagel, Hurdle, Kottel, Ohs, Ryan.

Total 6

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

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Absent or not voting: Simpkins, Tuss.

Total 2

SB 264 - Representative Wiseman moved SB 264 be concurred in.

Representative Wiseman moved consideration of SB 264 be placed below SB 242 on the second reading board.
Motion carried.

SB 298 - Representative McKee moved SB 298 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Swanson, Tash, Trexler, Tropila, Tuss, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Boharski, Brainard, Cobb, Cocchiarella, DeBruycker, Grinde, Harrington, Heavy Runner, Hurdle, Jore, Kasten, Kitzenberg, McGee, Ohs, Orr, Rehbein, Shea, S. Smith, Story, Stovall, Taylor, Wagner.

Total 23

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Vick, Wiseman.

Total 2

SB 307 - Representative Simon moved SB 307, second reading copy, be amended as follows (amendment #1):

1. Page 1, lines 15 and 16.

Strike: "THE" on line 15 through "BOARD." on line 16

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 93

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Noes: None.

Total 0

Excused: McCann.

Total 1

Absent or not voting: Forbes, Grinde, Molnar, Shea, Tuss, Wiseman.

Total 6

Representative Keenan moved SB 307, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Bergman, Boharski, DeBruycker, Denny, Kasten, Rehbein, Ryan, S. Smith, Story, Vick.

Total 10

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Grinde, H.S. Hanson, Hibbard, McKee, Soft, Trexler, Wiseman.

Total 7

SB 311 - Representative Raney moved SB 311 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bergsagel, Boharski, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Arnott, Bergman, Denny, Hayne, Jore, Kasten, Masolo, McGee, Murdock, Nelson, S. Smith, Taylor, Vick.

Total 13

Voted Absentee: McCann, Aye.

Excused: None.

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Total 0

Absent or not voting: Barnett, Bohlinger.

Total 2

SB 156 - Representative Tuss moved SB 156, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Arnott, Carey, Ellingson, Elliott, Forbes, Galvin, Grimes, Hagener, Harper, Hurdle, Kottel, Larson, McCulloch, Menahan, Murdock, Pavlovich, Peck, Raney, Ryan, Simpkins, Trexler, Tropila, Tuss, Wyatt.

Total 24

Noes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Fisher, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Nelson, Ohs, Orr, Quilici, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 74

Excused: McCann.

Total 1

Absent or not voting: Heavy Runner.

Total 1

Representative Simpkins moved SB 156, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Ahner, Arnott, Bergman, Boharski, Bohlinger, Brainard, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Feland, Forbes, Galvin, Green, Grinde, Harrington, Heavy Runner, Hurdle, Jore, Keenan, Knox, Kottel, McGee, Murdock, Pavlovich, Quilici, Rehbein, Ryan, Shea, Simpkins, Somerville, Tropila, Tuss, Wells, Wiseman, Wyatt, Zook.

Total 38

Noes: Anderson, Barnett, Barnhart, Bergsagel, Carey, Clark, Curtiss, Denny, Elliott, Ellis, Ewer, Fisher, Fuchs, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Rose, Schwinden, Simon, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wennemar, Mr. Speaker.

Total 61

Excused: McCann.

Total 1

Absent or not voting: None.

Total 0

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Representative J. Johnson moved SB 156 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Molnar, Nelson, Ohs, Orr, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Vick, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Bergman, Bergsagel, Boharski, Brainard, Clark, DeBruycker, Devaney, Hagener, M. Hanson, Hayne, Jore, Keenan, Kottel, McGee, Mills, Murdock, Pavlovich, Peck, Rehbein, Simpkins, S. Smith, Somerville, Taylor, Tuss, Wagner, Wells.
Total 26

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 242 - Representative Tuss moved SB 242, second reading copy, be amended (amendment #1).

Representative Tuss withdrew Amendment #1.

Representative Tuss moved SB 242 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Arnott, Barnett, Barnhart, Boharski, Brainard, DeBruycker, Denny, Grimes, Jore, Kasten, Keenan, McGee, Rehbein, Sliter, S. Smith, Vick, Wagner.
Total 17

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Molnar.

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Total 1

SB 264 - Representative Wiseman moved SB 264 be concurred in. Motion carried as follows:

Ayes: Anderson, Arnott, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Devaney, Ellingson, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Ahner, Barnett, Bergman, Brainard, DeBruycker, Denny, Elliott, Fisher, Grinde, Jore, Kadas, Keenan, Menahan, Molnar, Murdock, Ream, Rehbein, Ryan, Schwinden, S. Smith, Story, Swanson, Trexler, Vick, Wagner.

Total 25

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Cobb, Hurdle.

Total 2

SB 408 - Representative Rehbein moved SB 408 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, J. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 72

Noes: Arnott, Barnhart, Brainard, Carey, DeBruycker, Ellingson, Elliott, Ewer, Grimes, Hagener, Harper, Holland, R. Johnson, Jore, Kadas, Keenan, McCulloch, Orr, Peck, Raney, Soft, Swanson, Tuss, Wyatt.

Total 24

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Hurdle, Murdock, Somerville, Squires.

Total 4

SB 354 - Representative Simon moved SB 354 be concurred in. Motion carried as follows:

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Ayes: Ahner, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grimes, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Mills, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 53

Noes: Anderson, Arnott, Barnett, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Feland, Fisher, Grady, Green, M. Hanson, Hayne, Holland, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Martinez, Masolo, McGee, Molnar, Murdock, Ohs, Orr, Rehbein, Schwinden, Simpkins, S. Smith, Story, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 45

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Fuchs, Grinde.

Total 2

HB 600 - Representative Sliter moved consideration of HB 600 be placed below SB 210 on the second reading board. Motion carried.

SB 303 - Representative Pavlovich moved SB 303, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.

Following: "VESSEL"

Insert: "ON A LAKE OR WITHIN 50 FEET OF A DOCK, SWIMMER, SWIMMING RAFT, NONMOTORIZED BOAT, OR ANCHORED VESSEL ON A RIVER"

2. Page 4, line 27.

Following: "vessel"

Insert: "on a lake or within 50 feet of a dock, swimmer, swimming raft, nonmotorized boat, or anchored vessel on a river, except as provided in 23-2-525 (4)"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Elliott, Kadas, Rehbein, Trexler, Wagner.

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Total 5

Excused: McCann.

Total 1

Absent or not voting: Barnett, Barnhart, Fuchs, Green, Grimes, Grinde, Holland, J. Johnson, Molnar, Simon, Vick, Wennemar.

Total 12

Representative Pavlovich moved SB 303, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Arnott, Feland, Jore, Rehbein, Wagner.

Total 5

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Barnett, Cobb, Curtiss, Forbes, Fuchs, Grimes, Grinde, Heavy Runner, Holland, Molnar, Orr, Vick.

Total 12

Representative Pavlovich assumed the Chair at this time.

SB 352 - Representative Molnar moved consideration of SB 352 be placed below SB 341 on the second reading board. Motion carried.

SB 312 - Representative Knox moved SB 312 be concurred in.

Representative Wagner moved SB 312, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Ahner, Barnhart, Bergsagel, Boharski, Brainard, Carey, Clark, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Green, Hagener, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kasten, Kottel, Larson, McCulloch, McGee, Menahan, Molnar, Orr, Pavlovich, Raney, Ream, Ryan, Schwinden, Shea, L. Smith, Somerville, Squires, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt.

Total 43

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Noes: Anderson, Arnott, Barnett, Bergman, Bohlinger, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McKee, Mills, Murdock, Nelson, Ohs, Peck, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, S. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wiseman, Zook, Mr. Speaker.

Total 55

Excused: McCann.

Total 1

Absent or not voting: Vick.

Total 1

Representative Menahan moved SB 312, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Boharski, Brainard, Carey, Clark, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Kottel, Larson, McCulloch, McGee, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, L. Smith, Squires, Tropila, Tuss, Wagner, Wennemar, Wyatt.

Total 43

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Curtiss, DeBruycker, Denny, Devaney, Ellis, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Knox, Marshall, Martinez, Masolo, McKee, Mills, Murdock, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 54

Excused: McCann.

Total 1

Absent or not voting: Molnar, Simon.

Total 2

The be concurred motion of Representative Knox carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 80

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Heavy Runner, Hurdle, Kadas, Kottel, McCulloch, Menahan, Raney, Ream, Schwinden, Tuss, Wagner, Wyatt.

Total 20

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Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 295 - Representative Tropila moved consideration of SB 295 be passed for the day. Motion carried.

Representative Tropila resumed the Chair at this time.

SB 210 - Representative Brainard moved SB 210, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Ahner, Anderson, Bergman, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fuchs, Grimes, Hayne, Herron, Holland, Jore, Kasten, Keenan, Knox, Martinez, McGee, Murdock, Nelson, Ohs, Orr, Rehbein, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wyatt, Zook.
Total 44

Noes: Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Fisher, Galvin, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCulloch, McKee, Menahan, Mills, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Soft, Squires, Story, Swanson, Tuss, Wennemar, Wiseman.
Total 49

Excused: McCann.
Total 1

Absent or not voting: Forbes, Grinde, Heavy Runner, Molnar, Pavlovich, Mr. Speaker.
Total 6

Representative Ream moved SB 210, second reading copy, be amended as follows (amendment #2):

1. Page 6, line 15.
Strike: "pursuing."
Following: "killing."
Strike: "chasing, luring."

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Orr, Pavlovich, Peck,

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Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Cobb, Devaney, Feland, Grady, Murdock, Rehbein, Trexler.

Total 7

Excused: McCann.

Total 1

Absent or not voting: Jore, Molnar, Stovall.

Total 3

Representative Ream moved SB 210, second reading copy, be further amended as follows (amendment #3):

1. Page 5, line 28.

Strike: "unscented"

Following: "forms"

Strike: "or"

Insert: " ; "

2. Page 5, line 29.

Following: "odor"

Insert: " ; or types of scents that are approved by the commission for attracting game animals or game birds "

Amendment #3 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Rehbein.

Total 1

Excused: McCann.

Total 1

Absent or not voting: Fuchs, Molnar, Stovall.

Total 3

Representative Rehbein moved SB 210, second reading copy, be further amended as follows (amendment #4):

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1. Title, line 9.

Following: "PARTS;"

Insert: "PROVIDING THAT ONE-HALF OF THE MONEY FROM CERTAIN FINES RELATING TO VIOLATIONS OF STATE FISH AND GAME LAWS BE DEPOSITED IN THE STATE GENERAL FUND;"

2. Title, line 10.

Following: "87-1-503,"

Insert: "87-1-601,"

3. Page 5, line 19.

Following: line 18

Insert: "Section 4. Section 87-1-601, MCA, is amended to read:

"87-1-601. Use of fish and game money. (1) (a) Except as provided in subsection (7), all money collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, or from damages collected for violations of the fish and game laws of this state, from appropriations, or received by the department from any other state source must be turned over to the state treasurer and placed ~~by him~~ in the state special revenue fund to the credit of the department.

(b) Any money received from federal sources must be deposited in the federal special revenue fund to the credit of the department.

(c) All interest earned on money from the following sources must be placed in the state special revenue fund to the credit of the department:

(i) the general license account;

(ii) the license drawing account;

(iii) accounts established to administer the provisions of 87-1-246, 87-1-258, 87-1-605, 87-2-412, 87-2-722, and 87-2-724; and

(iv) money received from the sale of any other hunting and fishing license.

(2) That money must be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. That money must be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in this code means fish and game money in the state special revenue fund and the federal special revenue fund.

(4) Except as provided in ~~subsection~~ subsections (7) and (8), all money collected or received from fines and forfeited bonds, except money collected or received by a justice's court, relating to violations of state fish and game laws under Title 87 must be deposited by the state treasurer and credited to the department in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution ~~must~~ be paid to the county where the trial was held in any case in which the fine is not imposed in addition to the costs of prosecution.

(5) Money received by the department from the sale of surplus real property; exploration or development of oil, gas, or mineral deposits from lands acquired by the department except royalties or other compensation based on production; and from leases of interests in department real property not contemplated at the time of acquisition must be deposited in an account within the nonexpendable trust fund of the state treasury. The interest derived from the fund, but not the principal, may be used only for the purpose of operation, development, and maintenance of real property of the department, and only upon appropriation by the legislature. If the use of money as set forth in this section would result in violation of applicable federal laws or state statutes specifically naming the department or money received by the department, then the use of this money must be limited in the manner, method, and amount to those uses that do not result in a violation.

(6) Money received from the collection of license drawing applications is not subject to the deposit requirements of 17-6-105. The department shall deposit license drawing application money within a reasonable time

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after receipt.

(7) Money collected or received from fines or forfeited bonds for the violation of 77-1-801, 77-1-806, or rules adopted under 77-1-804 must be deposited as follows:

(a) 50% in an account for use by the department for the enforcement of 77-1-801, 77-1-806, and rules adopted under 77-1-804; and

(b) 50% in the state lands recreational use account established by 77-1-808 for use by the department of state lands in the management of state lands.

(8) After [the effective date of this act], the state treasurer shall deposit in the state general fund one-half of the money received from the fines pursuant to 87-1-102."

Renumber: subsequent sections

4. Page 11, line 23.

Following: line 22

Strike: "10(2)"

Insert: "11(2)"

5. Page 25, lines 11 and 13.

Strike: "5" in both places

Insert: "6

Strike: "10" in both places

Insert: "11"

Amendment #4 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Brainard, Curtiss, DeBruycker, Denny, Ellis, Fisher, Forbes, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook.

Total 55

Noes: Bohlinger, Carey, Clark, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Feland, Fuchs, Galvin, Grady, Grimes, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Marshall, McCulloch, McKee, Menahan, Nelson, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 43

Excused: McCann.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

Representative Ream moved SB 210, as amended, be concurred in. Motion carried as follows:

Ayes: Barnhart, Bohlinger, Carey, Clark, Cocchiarella, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Galvin, Grady, Green, Grimes, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, Soft, Squires, Swanson, Trexler, Tropila, Tuss, Wells,

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Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 53

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Cobb, Curtiss, Denny, Devaney, Feland, Fisher, Forbes, Fuchs, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Marshall, Martinez, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Sliter, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Zook.
Total 45

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Grinde, L. Smith.
Total 2

HB 600 - Representative Sliter moved HB 600 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Brainard, Cobb, DeBruycker, Feland, Herron, McGee, Murdock, Nelson, Orr, Rehbein, Schwinden, S. Smith, Tuss, Wagner.
Total 14

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Forbes, Grady, Jore.
Total 3

SB 341 - Representative Tuss moved SB 341 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville,

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Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Brainard, DeBruycker, Denny, Grinde, Jore, Kadas, Wagner.
Total 7

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Feland, Forbes, Fuchs, L. Smith.
Total 4

SB 352 - Representative Anderson moved SB 352 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Grady, Hurdle, Menahan.
Total 3

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Forbes, Molnar.
Total 2

SJR 14 - Representative Simon moved SJR 14 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 90

Noes: Carey, Cobb, Fuchs, Jore, Martinez, L. Smith.

Total 6

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Devaney, Ewer, Feland, Simpkins.

Total 4

SB 376 - Representative Orr moved SB 376, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.

Following: "ARRANGEMENTS;"

Insert: "PROVIDING FOR EXCEPTIONS FROM REGULATION;"

2. Title, line 9.

Following: "CODE;"

Insert: "REQUIRING CERTAIN DISCLOSURES IN INSURANCE POLICIES ISSUED BY SELF-FUNDED
MULTIPLE EMPLOYER WELFARE ARRANGEMENTS;"

3. Page 1, lines 13, 16, 23, and 25

Strike: "14"

Insert: "15"

4. Page 2, lines 5 and 27.

Strike: "14"

Insert: "15"

5. Page 2, line 11.

Following: "."

Insert: "The term does not include an arrangement, plan, program, or interlocal agreement of or between political
subdivisions of this state, including school districts, as provided in 33-1-102."

6. Page 4, lines 4 and 5.

Strike: "14"

Insert: "15"

7. Page 7, line 27.

Strike: "14"

Insert: "15"

8. Page 8, lines 14, 18, and 22.

Strike: "14"

Insert: "15"

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9. Page 8.

Following: line 24

Insert: "NEW SECTION. Section 15. Disclosure. Each policy issued by a self-funded multiple employer welfare arrangement must contain, in 10-point type on the front page and the declaration page, the following notice:

"NOTICE

This policy is issued by a self-funded multiple employer welfare arrangement. A self-funded multiple employer welfare arrangement may not be subject to all of the insurance laws and regulations of your state. State insurance insolvency guaranty funds are not available for a self-funded multiple employer welfare arrangement."

Renumber: subsequent sections

10. Page 9, lines 6 and 7.

Strike: "14"

Insert: "15"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: McCann.

Total 1

Absent or not voting: Fuchs.

Total 1

Representative Orr moved SB 376, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

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Total 92

Noes: DeBruycker, Feland, Grinde, Jore, Rehbein, Vick.

Total 6

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Forbes, Zook.

Total 2

SB 86 - Representative Jore moved SB 86, second reading copy, be amended as follows (amendment #1):

1. Page 5, line 27.

Strike: "required to be made"

2. Page 5, line 25.

Strike: "requirement --"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: McCann.

Total 1

Absent or not voting: Ellis.

Total 1

Representative Jore moved SB 86, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson,

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Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Bergsagel, DeBruycker, Jore, Vick.

Total 4

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Green.

Total 1

SB 251 - Representative Larson moved SB 251 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Bergsagel, DeBruycker, Jore, Kasten, Rehbein, S. Smith.

Total 7

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 281 - Representative Larson moved SB 281 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson,

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Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook.
Total 87

Noes: Arnott, Barnhart, Bergsagel, DeBruycker, Denny, Heavy Runner, Keenan, Peck, Raney, Wennemar, Mr. Speaker.
Total 11

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Bohlinger, Forbes.
Total 2

SB 283 - Representative M. Hanson moved SB 283 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Barnhart, Bergsagel, Keenan.
Total 3

Voted Absentee: McCann, Aye.

Excused: None.
Total 0

Absent or not voting: Forbes.
Total 1

SB 294 - Representative Somerville moved SB 294 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 92

Noes: Arnott, Barnhart, Ewer, Hagener, Kadas, McCann, Raney.

Total 7

Voted Absentee: McCann, No.

Excused: None.

Total 0

Absent or not voting: Forbes.

Total 1

SB 361 - Representative Carey moved SB 361 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brainard, Cobb, Feland, Kasten, Orr, Rehbein, L. Smith, Tuss.

Total 8

Voted Absentee: McCann, Aye.

Excused: None.

Total 0

Absent or not voting: Quilici.

Total 1

SB 378 - Representative Devaney moved SB 378 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

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Noes: Barnhart, Brainard, Ellingson, Ewer, Harper, Heavy Runner, McCann, McCulloch, Peck, Raney, Tuss.
Total 11

Voted Absentee: McCann, No.

Excused: None.
Total 0

Absent or not voting: Molnar, Taylor.
Total 2

SB 321 - Representative Grady moved SB 321 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Arnott, Barnhart, Bergsagel, Cocchiarella, Devaney, Ewer, Heavy Runner, Hurdle, Jore, Kadas, Kasten, Kitzenberg, McCann, McGee, Murdock, Peck, Ream, Rehbein, Schwinden, Story, Tuss.
Total 21

Voted Absentee: McCann, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Tropila moved that the Committee of the Whole report be adopted. Report adopted. (82-16)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/24/95
Correctly printed for second reading: HB 604.
Signed by the Speaker at 2:00 p.m., 3/24/95: HB 55, HB 84.

AGRICULTURE, LIVESTOCK & IRRIGATION (Barnett, Chairman): 3/24/95
SB 144, be amended as follows:

1. Page 8, line 27.

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Strike: "converting"

Insert: "temporarily changing"

2. Page 9.

Following: 21

Insert: "(8) Only the owner of the water right may seek enforcement of the change authorization or object under 85-2-308."

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 389, be amended as follows:

1. Page 1, line 17.

Following: "farms."

Insert: "It is intended that rules promulgated pursuant to Title 87, chapter 4, part 4, be adopted in accordance with the Montana Negotiated Rulemaking Act, Title 2, chapter 5, part 1."

2. Page 2.

Following: line 10

Insert: "(6) It is the intent of the legislature that in adopting rules pursuant to 87-4-426(6), the department of fish, wildlife, and parks provide for a timely and simplified process for minor amendments to an existing license. This may include, when appropriate, a categorical exclusion under the provisions of Title 75, chapter 1, part 1."

3. Page 2.

Following: line 15

Insert: "(1) 'Cloven-hoofed ungulate' means an animal of the order Artiodactyla, except a member of the families suidae, camelidae, or hippopotamidae. The term does not include domestic pigs, domestic cows, domestic yaks, domestic sheep, domestic goats that are not naturally occurring in the wild in their country of origin, or bison."

Renumber: subsequent subsections

4. Page 2, line 24.

Strike: "reindeer,"

5. Page 2, line 26.

Following: "Montana"

Insert: ", a privately owned reindeer,"

6. Page 3, line 6.

Following: "quarantine,"

Insert: "hold orders, interior facilities,"

7. Page 3, line 14.

Following: "possible"

Insert: "to the extent possible"

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8. Page 3, line 15.

Strike: "direction"

Insert: "observation"

9. Page 3, line 20.

Strike: "by trapping them"

10. Page 3, line 22.

Strike: "by trapping"

11. Page 3, line 27.

Strike: ", and the licensee may deal with them as provided for in this part"

Following: "."

Insert: "Under certain circumstances, a licensee may request a waiver from the identification and marking of animals in the base number on a licensed game farm."

12. Page 4, line 26.

Following: "that"

Strike: " "

Insert: "all imported game farm animals are marked"

Strike: "OR"

Insert: "and that all other game farm animals are marked"

Following: "YEAR"

Strike: " each"

Insert: ". Each"

13. Page 4, line 27.

Following: "animal".

Insert: "must"

14. Page 5, line 3.

Following: "(5)"

Insert: "Upon the request of a licensee, the department of livestock may grant a temporary waiver as to the time for identification and to the manner of identification if necessary to address a special circumstance. (6)"

Renumber: subsequent subsection

15. Page 5, lines 3 and 4.

Strike: "Only" on line 3 through "animal" on line 4.

Insert: "A game farm animal may be kept only on a licensed game farm. A licensee who keeps a game farm animal owned by, leased to, or leased from another person shall comply with all of the requirements of this part as if the animal belonged to the licensee. Records and reports submitted by the licensee pursuant to 87-4-417 must identify any game farm animal kept by the licensee during the reporting period and the name and address of the owner or lessee"

16. Page 5, line 9.

Strike: "and"

Insert: ", "

Following: "sale"

Insert: ", and disposal"

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17. Page 5, line 11.

Strike: "stock inspector"

Insert: "designated agent"

18. Page 5, lines 13 and 14.

Strike: "This" on line 13 through "dead." on line 14

Insert: "All dead game farm animals, except carnivores and omnivores, must be reported to the department of livestock within 1 working day of the discovery of the death."

19. Page 5, line 15.

Following: "(1)"

Insert: ", except inspection of carnivores and omnivores,"

20. Page 6, line 4.

Following: "quarantine"

Insert: "or issue a hold order on"

21. Page 6, line 10.

Following: "reporting"

Insert: " -- rules"

22. Page 6, line 18.

Following: "."

Insert: "However, a calf or fawn that dies prior to being marked pursuant to 87-4-414(4) need not be identified."

23. Page 6, lines 25 through 29.

Following: "(3)" on line 25

Strike: remainder of line 25 through violations." on line 29

Insert: "The department may establish by rule the conditions under which the frequency of reporting requirements may be reduced to one report a year or increased to three reports a year. The department may establish by rule the conditions under which a licensee may submit an abbreviated report. In adopting those rules, the department shall consider the number of animals present on a game farm, the number of reported transactions during previous reporting periods, a history of accurate recordkeeping, and a historical absence of violations."

24. Page 7, lines 15 through 18.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

25. Page 7, line 20.

Following: "of"

Insert: "game farm"

Following: "quarantine,"

Strike: "and"

Insert: "hold orders, interior facilities,"

26. Page 7, line 21.

Following: "regulations"

Insert: ", and the care and maintenance of game farm animals"

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27. Page 7.

Following: line 21

Insert: "(3) Rules promulgated pursuant to this part must be adopted in accordance with the Montana Negotiated Rulemaking Act, Title 2, chapter 5, part 1."

28. Page 7, line 24.

Strike: "Restrictions"

Insert: "Classification -- restrictions"

Strike: "-- classification"

29. Page 7, line 25 through page 8, line 3.

Following: "(1)" on line 25

Strike: remainder of line 25 through page 8, line 3 in their entirety

Insert: "In order to properly regulate importation:

(a) the department shall classify cloven-hoofed ungulates that have been determined through scientific investigation to pose a threat to native wildlife or livestock through nonspecific genetic dilution or habitat degradation or competition caused by feral populations of escaped game farm animals and shall notify the department of livestock of any changes in classification as they occur; and

(b) the department of livestock shall classify cloven-hoofed ungulates that have been determined through scientific investigation to pose a threat to native wildlife or livestock through parasites or disease.

(2) The department of livestock shall restrict from importation for purposes of game farming any species or subspecies and their hybrids with native species that have been classified in accordance with subsection (1) as posing a threat to native wildlife or livestock. Importation permitted by the department of livestock must comply with the requirements of Title 81, chapter 2, part 7. Copies of import permits issued by the department of livestock must be shared with the department within 10 calendar days. Other pertinent documentation relating to importation must be shared as it becomes available."

30. Page 8, line 6.

Following: "requirements"

Insert: "-- rules"

31. Page 9.

Following: line 22

Insert: "(6) The department shall by rule establish: (a) criteria for the classification of amendments to an existing license as major or minor; and (b) an expeditious amendment process for minor amendments."

32. Page 10, line 7.

Following: "2-15-102."

Insert: "The department and the department of livestock shall provide staff support and assistance necessary for the council to perform its functions."

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Zook, Chairman):

3/24/95

SB 27, be amended as follows:

1. Page 1, line 7.

Strike: "AN"

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Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 10, following line 11.

Insert: "NEW SECTION. Section 7. Coordination. If Senate Bill No. 83, House Bill No. 19, House Bill No. 422, House Bill No. 526, or House Bill No. 528 is passed and approved in a form that amends 15-35-108, percentages in that section must be expressed as percentages of total tax collections consistent with [this act]."

Renumber: subsequent section

3. Page 10, line 12

Strike: "date. [This act] is"

Insert: "dates. (1) [Section 7 and this section] are effective on passage and approval.

(2) [Sections 1 through 6] are"

And, as amended, be concurred in. Report adopted.

SB 415, be amended as follows:

1. Page 2, line 24.

Following: "(7)"

Strike: "does not"

Insert: "is not intended to interfere with or to"

Following: "authority"

Insert: "or actions"

2. Page 2, line 27.

Following: "state."

Insert: "Subsections (7) and (8) do not pertain to facilities where the department has initiated actions under this part."

3. Page 3, line 10.

Following: "CONDUCT OF"

Strike: "THE REMEDIAL ACTION CONTRACTOR"

Insert: "the entity providing in-kind services"

4. Page 3

Following: line 15

Insert: "(e) Any donated in-kind services that are employed as part of a remedial action pursuant to this subsection (8) must be approved by the department as appropriate remedial action."

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Boharski, Chairman):

3/24/95

HB 604, introduced bill, be amended as follows:

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1. Title, line 7.

Strike: "LIBRARY BOARDS,"

Following: "HEALTH"

Strike: ", "

2. Title, lines 11 and 12.

Strike: "CLARIFYING" on line 11 through "LEVY" on line 12

Insert: "REVISING RESTRICTIONS ON ANNEXING WHOLLY SURROUNDED LAND; REVISING THE DEFINITION OF CONTIGUOUS FOR THE PURPOSES OF ANNEXATION WITH THE PROVISION OF SERVICES"

3. Title, line 15.

Strike: "7-1-2103, 7-1-4123,"

Following: "7-2-4405,"

Insert: "7-2-4503, 7-2-4704,"

4. Title, line 24.

Strike: "22-1-308, 22-1-309, 22-1-317,"

5. Page 3, line 23.

Strike: "freeholder"

Insert: "of the county or district"

6. Page 4, line 29.

Strike: ", library boards,"

7. Page 5, line 12 through page 6, line 9.

Strike: sections 4 and 5 in their entirety

8. Page 9.

Following: line 18

Insert: " Section 12. Section 7-2-4503, "MCA, is amended to read:

"7-2-4503. Restrictions on annexation power. (1) Land ~~shall~~ may not be annexed under this part whenever the land is used:

(1)(a) for agricultural, mining, smelting, refining, transportation, or any industrial or manufacturing purpose; or

(2)(b) for the purpose of maintaining or operating a golf or country club, an athletic field or aircraft landing field, a cemetery, or a place for public or private outdoor entertainment or any purpose incident thereto.

(2) Land may not be annexed under this part whenever a city street or roadway forms a boundary of a wholly surrounded area unless the street or roadway is completely contiguous to the city on one side of the street's or roadway's right-of-way for the entire length of the street or roadway that forms the boundary of the wholly surrounded area."

Section 13. Section 7-2-4704, MCA, is amended to read:

"7-2-4704. Definitions. The following terms, ~~where~~ when used in this part, have the following meanings, except ~~where~~ when the context clearly indicates a different meaning:

(1) "Contiguous" means any area which, at the time annexation procedures are initiated, either abuts directly on the municipal boundary or is separated from the municipal boundary by a street or street right-of-way, a creek or river, the right-of-way of a railroad or other public service corporation, lands owned by the city or some

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other political subdivision, or lands owned by the state as long as the street, street right-of-way, creek or river, railroad right-of-way, or city, political subdivision, or state-owned land separating the area from the municipal boundary is contiguous to the city for its entire length between the area and the municipal boundary.

(2) "Municipality" means any city or town under Montana law.

(3) "Resident freeholder" means a person who maintains ~~his~~ the person's residence on real property in which ~~he~~ the person holds an estate of life or inheritance or of which ~~he~~ the person is the purchaser of such an estate under a contract for deed, some memorandum of which has been filed in the office of the county clerk and recorder."

Renumber: subsequent sections

9. Page 37.

Following: line 30

Insert: "(2) A majority of the board members must be rural agricultural land owners."

Renumber: subsequent subsection

10. Page 40, line 12.

Following: "~~(4)~~"

Insert: "(1)"

11. Page 40.

Following: line 13

Insert: "(2) Members of the board must be residents of the district."

12. Page 42, line 26 through page 45, line 9.

Strike: sections 84, 85, and 86 in their entirety

Renumber: subsequent sections

13. Page 50, line 1.

Strike: "94"

Insert: "91"

And, as amended, do pass. Report adopted.

SB 127, be amended as follows:

1. Page 2, line 19.

Insert: "

NEW SECTION. Section 2. Coordination instruction. If both [this act] and Senate Bill No. 83 are passed and approved and if both include a section that amends 3-5-901, then 3-5-901 must read as follows:

"3-5-901. State assumption of certain district court expenses -- designation as district court criminal reimbursement program. (1) ~~The state shall, to~~ To the extent that revenue is available under 61-3-509, the state shall fund;

(a) the following district court expenses in criminal cases only:

~~(a)~~(i) salaries of court reporters;

~~(b)~~(ii) fees for transcripts of proceedings;

~~(c)~~(iii) witness fees and necessary expenses;

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~~(d)(iv)~~ juror fees;

~~(e)(v)~~ expenses for indigent defense; and

~~(f) expenses of the appellate defender commission and the office of appellate defender; and~~

~~(g)(vi)~~ expenses for psychiatric examinations;

(b) the district court expenses, as listed in subsection (1)(a), in all postconviction proceedings held pursuant to Title 46, chapter 21, and in all habeas corpus proceedings held pursuant to Title 46, chapter 22, and appeals from those proceedings; and

(c) the following expenses incurred by the state in federal habeas corpus cases that challenge the validity of a conviction or of a sentence:

(i) transcript fees;

(ii) witness fees; and

(iii) expenses for psychiatric examinations.

(2) The revenue received under 61-3-509 is statutorily appropriated, as provided in 17-7-502, to the supreme court for funding the expenses listed in subsection (1) and the costs of administering this section. If revenue received under 61-3-509 exceeds the amount appropriated by the legislature to fund the expenses of the appellate defender program, the excess amount is statutorily appropriated, as provided in 17-7-502, to the supreme court to fund the expenses described in subsections (1)(a) through (1)(c).

(3) If money appropriated for the expenses listed in subsection (1):

(a) exceeds the amount necessary to fully fund those expenses, the excess amount up to \$500,000 of the excess amount must be used for youth court and probation foster care placements if the department of family services certifies to the supreme court that appropriations for youth court and probation foster care placements will be inadequate to fund those costs and remaining excess amounts must be used for district court grants as provided in 7-6-2352; or

(b) is insufficient to fully fund those expenses, the appellate defender commission and the office of appellate defender must be funded first and the county is responsible for payment of the balance.

(4) Money deposited in the state general fund in fiscal year 1992, as provided in 61-3-509, that is in excess of the legislative appropriation is statutorily appropriated, as provided in 17-7-502, to the supreme court for district court and courts of limited jurisdiction automation purposes during the 1995 biennium. (Subsection (4) terminates July 1, 1995--sec. 7, Ch. 330, L. 1993.)"

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 135, be amended as follows:

1. Title, line 9.

Following: "MCA;"

Insert: "REQUIRING AN ESTIMATE OF THE FISCAL IMPACT OF A BILL BEFORE INTRODUCTION OF THE BILL;"

2. Title, line 10.

Strike: "AND PAYMENT OF COSTS AND ATTORNEY FEES"

3. Page 2, line 27.

Following: "RESTRICTION."

Insert: "(1)"

4. Page 2, line 29.

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Following: "SERVICE"

Insert: "or facility"

5. Page 3.

Following: line 1

Insert: "(2) The estimate of fiscal impact provided in accordance with [section 4] must be considered in determination of whether a bill is introduced in violation of subsection (1).

NEW SECTION. Section 4. Estimate of fiscal impact on local government required. (1) A bill that, if enacted, may require a local government unit to perform an activity or provide a service or facility that requires a direct expenditure of additional funds without a specific means to finance the activity, service, or facility in violation of 1-2-112 or 1-2-113 must be accompanied, at the time that the bill is presented for introduction to the chief clerk of the house of representatives or the secretary of the senate, by an estimate of all direct and indirect fiscal impacts on a local government unit. The estimate of fiscal impacts must be prepared by the budget director in cooperation with a local government unit affected by the bill. The budget director has 10 days to prepare the estimate.

(2) The estimate must show in dollar amounts the increase in expenditures that may be required by the bill. Comment or opinion relative to the merits of the bill may not be included in the estimate. However, technical or mechanical defects may be noted. Upon completion of the estimate, the budget director shall submit the estimate to the requestor of the bill."

Renumber: subsequent sections

6. Page 3, line 3.

Strike: "-- COSTS AND FEES"

Following: the third " _ "

Insert: "(1) A local government unit may use a remedy provided in subsection (2), (3), or (4) to prevent the application of a law enacted in violation of 1-2-112 or 1-2-113.

(2) A local government may, with the consent of a state agency charged with the implementation of the law, arbitrate the application of the law pursuant to the Uniform Arbitration Act.

(3) A local government unit may request a hearing before an administrative agency charged with the administration of the law. A hearing held pursuant to this section is a contested case proceeding pursuant to the Montana Administrative Procedure Act. The decision of the agency may be appealed in accordance with Title 2, chapter 4, part 7.

(4)"

7. Page 3, lines 7 through 10.

Strike: "A LOCAL" on line 7 through "FUND." on line 10

8. Page 3, line 12.

Following: "INSTRUCTION."

Insert: "(1)"

Strike: "4"

Insert: "5"

9. Page 3, line 14.

Strike: "4"

Insert: "5"

10. Page 3.

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Following: line 14

Insert: "(2) [Section 4] is intended to be codified as an integral part of Title 5, chapter 4, part 2, and the provisions of Title 5, chapter 4, part 2, apply to [section 4]."

And, as amended, be concurred in. Report adopted.

SB 208, be concurred in. Report adopted.

SB 222, be concurred in. Report adopted.

MOTIONS

HB 160 - Representative Grinde moved the House accede to the request of the Senate to return HB 160 for further consideration. Motion carried.

SB 298 - Representative Marshall moved he be allowed to change his vote on SB 298, second reading, from nay to aye. Motion carried.

SB 352 - Representative Sliter moved he be allowed to change his vote on SB 352, second reading, from not voting to aye. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Saturday, March 25, 1995. Motion carried.

House adjourned at 5:50 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

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Helena, Montana
March 25, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Alvin Ellis. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Boharski, Fuchs, Hagener, Holland, McCann, Sliter, Taylor, Trexler, excused. Quorum present.

Representative Sliter present at this time.

Representative Ream excused at this time.

Mr. Speaker introduced this week's Honorary pages:

Ralynn Scammon, St. Ignatius
Shannon Kirscher, Townsend
Molly Flynn, Townsend
Kassie Kallin, Helena
Megan Johnson, Bozeman
Kelly Wiprud, Fairfield
Rhett Young, Glendive
Ben Jore, Ronan
Jamie Ramsey, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/25/95
Correctly engrossed for third reading: HB 545, HB 562, HB 569, HB 587, HB 588, HB 589, HB 591, HB 593, HB 598, HB 600, HB 601.
Correctly enrolled: HB 375.
Examined by the sponsor and found to be correct: HB 375.
Signed by the Speaker at 10:22 a.m., 3/25/95: HB 375.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/24/95

HB 375, introduced by Harper

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/24/95

HB 157, introduced by Denny
HB 214, introduced by Kottel
HB 248, introduced by Bergsagel
HB 287, introduced by Ream
HB 464, introduced by Harper

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Senate bill passed and transmitted to the House for concurrence:

3/24/95

SB 390, introduced by Jergeson

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 11 sponsored by Representative Bergsagel on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

March 24, 1995

Dear Speaker Mercer:

Please be informed that I have signed House Bill 77 sponsored by Representative Cocchiarella on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 154 sponsored by Representatives Kasten et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 165 sponsored by Representative Story on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 188 sponsored by Representatives Wiseman et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 215 sponsored by Representatives Cocchiarella et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

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Dear Representative Mercer:

Please be informed that I have signed House Bill 226 sponsored by Representative Vick on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 235 sponsored by Representative Grady on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 252 sponsored by Representatives Squires et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 263 sponsored by Representatives M. Hanson and Brainard on March 24, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 274 sponsored by Representatives Wagner et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 292 sponsored by Representatives Fuchs and McGee on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 329 sponsored by Representatives Heavy Runner et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 342 sponsored by Representative Pavlovich on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 527 sponsored by Representatives Larson et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 24, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 549 sponsored by Representatives Shea et al. on March 24, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

March 24, 1995

The Honorable John Mercer

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Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 411, **"AN ACT PROVIDING THE CERTIFICATION REQUIRED BY SECTION 401 OF THE FEDERAL CLEAN WATER ACT FOR ACTIVITIES WITHIN THE COVERAGE OF NATIONWIDE PERMITS PROMULGATED BY THE U.S. ARMY CORPS OF ENGINEERS; AND DIRECTING THE AMENDMENT OF TITLE 16, CHAPTER 20, SUBCHAPTER 17, ADMINISTRATIVE RULES OF MONTANA."**

Section 401 of the federal Clean Water Act allows states to certify that activities for which the U.S. Corps of Engineers issues permits, including dredging and filling activities and discharges into state waters, meet state water quality standards.

Pursuant to that requirement, the Montana Department of Health and Environmental Sciences, every five years, decides which types of activities might have potential adverse impact on water quality, and should thus be reviewed. Most recently the State waived its review on all but four of the thirty-six categories of activities. The State's review has historically been completed in five to ten days, less than half of the time other Corps of Engineers has taken for its review. In 1994, we denied only one permit, although we conditioned several on the permittees making reasonable changes to their proposed activities.

House Bill 411 does away with state certification for all activities covered by the Corps of Engineers nationwide permit process, leaving the State to rely entirely on the federal government to protect its wetlands and headwater streams -- waters that are of significantly higher quality than those of other states.

Nearly a third of the wetlands in Montana have been lost in the past fifty years. Declining water quality associated with wetland impacts should be minimized and curtailed whenever possible and that can only be accomplished by careful, yet expeditious, review of Corps permits. Similarly, the quality of our headwater streams must also be protected to sustain waters of sufficient quality to maintain or restore their beneficial uses.

The Department of Health and Environmental Sciences has been diligently working with the Corps and other agencies to develop certification requirements that would protect water quality and at the same time, accelerate the permitting process with minimal paperwork. Those discussions are in the final stages and final draft conditions are currently being negotiated. The joint efforts of the Corps and the Department satisfy the intent of House Bill 411 by facilitating and streamlining the permitting process. These efforts should alleviate the concerns applicants have voiced on this matter.

At a time when the Legislature and people of Montana are demanding less federal intervention and more state rights, this bill requires more federal intrusion and denies state rights. The bill wrongfully empowers the federal government and constricts the voice of Montana.

I believe that we need to continue to review certain activities now authorized under the nationwide permit program. I do not believe that we should diminish our own authority over our own resources.

Sincerely,

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MARC RACICOT
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bill was introduced, read first time, and referred to committee:

SB 390, introduced by Jergeson, referred to Committee on Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cobb in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 295 - Representative Tropila moved SB 295 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Denny, Fisher, Hayne, Kasten, Rehbein.

Total 5

Voted Absentee: Fuchs, Hagener, Holland, McCann, Ream, Taylor, Ayes.

Excused: Boharski, Trexler.

Total 2

Absent or not voting: Shea, L. Smith.

Total 2

SB 340 - Representative R. Johnson moved SB 340 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall,

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Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Carey, Ellingson, Galvin, Herron, Jore, Martinez, Tuss, Wennemar.

Total 8

Voted Absentee: Fuchs, Hagener, Holland, McCann, Ream, Taylor, Trexler, Ayes.

Excused: Boharski.

Total 1

Absent or not voting: Feland, Molnar.

Total 2

SB 353 - Representative Grimes moved SB 353 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Fuchs, Hagener, Holland, McCann, Ream, Taylor, Trexler, Ayes.

Excused: Boharski.

Total 1

Absent or not voting: Feland.

Total 1

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Cobb moved that the Committee of the Whole report be adopted. Report adopted. (84-1)

Representative Grinde moved the House recess until 9:15 a.m. Motion carried.

House recessed at 8:25 a.m.

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House reconvened at 9:25 a.m. Mr. Speaker in the Chair.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 587 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Hurdle, Raney, Wennemar.

Total 3

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: Devaney, Knox.

Total 2

HB 588 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Hagener.

Total 1

Voted Absentee: Boharski, Holland, McCann, Taylor, Trexler, Ayes; Hagener, No.

Excused: Fuchs, Ream.

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Total 2

Absent or not voting: Bergman, Heavy Runner.

Total 2

HB 598 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Schwinden.

Total 1

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: Ohs.

Total 1

HB 601 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Grady, Hurdle.

Total 2

Voted Absentee: Boharski, Hagener, Holland, McCann, Ream, Taylor, Trexler, Ayes.

Excused: Fuchs.

Total 1

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Absent or not voting: None.

Total 0

HB 569 passed as follows:

Ayes: Ahner, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Anderson, Barnett, DeBruycker, Devaney, Feland, Fisher, Jore, Kasten, Keenan, Kottel, Pavlovich, Quilici, Rehbein, Sliter, S. Smith, Somerville, Trexler, Wagner.

Total 18

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes; Trexler, No.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

HB 593 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Carey, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 35

Voted Absentee: Boharski, Fuchs, Holland, McCann, Taylor, Trexler, Ayes; Hagener, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: Grimes, Hibbard.

Total 2

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HB 562 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: DeBruycker, McGee.

Total 2

Voted Absentee: Boharski, Hagener, Holland, McCann, Ream, Shea, Taylor, Trexler, Ayes.

Excused: Fuchs.

Total 1

Absent or not voting: None.

Total 0

HB 545 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Arnott, Cobb, Feland, Hurdle, Mills, Orr, Tuss.

Total 7

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

HB 589 passed as follows:

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Ayes: Ahner, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Galvin, Grady, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Anderson, Arnott, Barnhart, Denny, Fisher, Forbes, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hurdle, Kottel, Orr, Peck, Rehbein, Somerville, Story, Taylor, Tuss, Vick, Wiseman.

Total 23

Voted Absentee: Boharski, Holland, Trexler, Ayes; Hagener, Taylor, Noes.

Excused: Fuchs, McCann, Ream.

Total 3

Absent or not voting: None.

Total 0

SB 296 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SJR 17 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes,

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Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 94

Noes: Hurdle, Mills, Wyatt.
Total 3

Voted Absentee: Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Boharski, Fuchs, Ream.
Total 3

Absent or not voting: None.
Total 0

SB 156 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rose, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Vick, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Arnott, Bergman, Boharski, Brainard, Cobb, DeBruycker, M. Hanson, Hayne, Jore, Keenan, Martinez, McGee, Murdock, Peck, Raney, Rehbein, Ryan, Simpkins, S. Smith, Somerville, Taylor, Tuss, Wagner, Wells.
Total 24

Voted Absentee: Hagener, Holland, McCann, Ream, Trexler, Ayes; Boharski, Taylor, Noes.

Excused: Fuchs.
Total 1

Absent or not voting: None.
Total 0

SB 224 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan,

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Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 246 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, Hurdle, Kottel, Ohs, Ryan.

Total 5

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: Green, Rehbein.

Total 2

SB 264 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Mills, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

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Noes: Arnott, Bergman, Brainard, DeBruycker, Denny, Fisher, Grinde, Hurdle, Jore, Kadas, Keenan, Larson, Masolo, Menahan, Molnar, Murdock, Rehbein, Ryan, Schwinden, S. Smith, Story, Swanson, Trexler, Tuss, Vick, Wagner.

Total 26

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes; Trexler, No.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 298 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Boharski, Brainard, Cobb, DeBruycker, Feland, Hurdle, Jore, Kasten, Kitzenberg, Knox, McGee, Molnar, Ohs, Orr, Rehbein, Schwinden, Shea, L. Smith, S. Smith, Story, Vick, Wagner.

Total 23

Voted Absentee: Hagener, Holland, McCann, Taylor, Trexler, Ayes; Boharski, No.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 311 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Arnott, Bergman, DeBruycker, Denny, Hayne, Jore, Kasten, Keenan, McGee, Murdock, Rehbein, S. Smith,

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Taylor, Vick.
Total 14

Voted Absentee: Boharski, Hagener, Holland, McCann, Trexler, Ayes; Taylor, No.

Excused: Fuchs, Ream.
Total 2

Absent or not voting: None.
Total 0

SB 242 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Arnott, Barnhart, Boharski, Brainard, Denny, Fisher, Grimes, Hurdle, Jore, Kadas, Kasten, Keenan, McGee, Rehbein, Sliter, L. Smith, S. Smith, Vick, Wagner.
Total 19

Voted Absentee: Hagener, Holland, McCann, Taylor, Trexler, Ayes; Boharski, No.

Excused: Fuchs, Ream.
Total 2

Absent or not voting: None.
Total 0

SB 408 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, J. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Quilici, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wiseman, Zook, Mr. Speaker.
Total 69

Noes: Arnott, Barnhart, Brainard, Carey, DeBruycker, Denny, Ellingson, Elliott, Ewer, Hagener, Harper, Heavy Runner, Holland, Hurdle, R. Johnson, Jore, Kadas, Keenan, McCulloch, Murdock, Orr, Peck, Raney, Ryan, Soft, Swanson, Tuss, Wagner, Wennemar, Wyatt.
Total 30

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Voted Absentee: Boharski, Fuchs, McCann, Taylor, Trexler, Ayes; Hagener, Holland, Noes.

Excused: Ream.

Total 1

Absent or not voting: None.

Total 0

HB 600 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Arnott, Feland, Grinde, Herron, Jore, Kasten, McGee, Murdock, Rehbein, Schwinden, Tuss, Wagner.

Total 12

Voted Absentee: Boharski, Hagener, McCann, Ream, Taylor, Trexler, Ayes.

Excused: Fuchs, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 352 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Galvin, Hurdle, Menahan.

Total 3

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes.

Excused: Fuchs, Ream, Trexler.

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Total 3

Absent or not voting: None.

Total 0

SB 312 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 77

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Heavy Runner, Hurdle, Kadas, Kottel, McCulloch, Menahan, Pavlovich, Peck, Raney, Ream, Tuss, Wagner, Wyatt.

Total 21

Voted Absentee: Boharski, Holland, McCann, Taylor, Ayes; Hagener, Ream, Noes.

Excused: Fuchs, Trexler.

Total 2

Absent or not voting: None.

Total 0

SB 341 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Brainard, DeBruycker, Denny, Elliott, Grinde, Jore, Kadas, L. Smith, Wagner.

Total 9

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes.

Excused: Fuchs, Ream, Trexler.

Total 3

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Absent or not voting: None.

Total 0

SJR 14 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Arnott, Carey, Cobb, Grinde, Jore, Kadas, Keenan, L. Smith.

Total 8

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: None.

Total 0

SB 251 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Arnott, Bergsagel, Boharski, DeBruycker, Denny, Jore, Kasten, Keenan, Raney, Rehbein, Wagner.

Total 11

Voted Absentee: Hagener, Holland, McCann, Taylor, Ayes; Boharski, No.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: None.

Total 0

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SB 281 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Arnott, Barnhart, Cocchiarella, Denny, Ellingson, Ewer, Heavy Runner, Keenan, Menahan, Peck, Raney, Wennemar.

Total 12

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 283 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Barnhart, Peck.

Total 2

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Trexler, Ayes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: None.

Total 0

SB 294 concurred in as follows:

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Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Arnott, Barnhart, Cocchiarella, Ewer, Hagener, Harper, Harrington, Keenan, McCann, Peck, Raney.

Total 11

Voted Absentee: Boharski, Holland, Taylor, Trexler, Ayes; Hagener, McCann, Noes.

Excused: Fuchs, Ream.

Total 2

Absent or not voting: Hayne, Molnar.

Total 2

SB 361 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Arnott, Brainard, Feland, Grinde, Jore, Kasten, Keenan, Masolo, Rehbein, L. Smith, Story, Tuss, Vick.

Total 13

Voted Absentee: Boharski, Hagener, Holland, McCann, Taylor, Ayes.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: Larson.

Total 1

SB 378 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar,

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Total 82

Noes: Barnhart, Brainard, Cocchiarella, Denny, Harper, Harrington, Heavy Runner, J. Johnson, McCann, McCulloch, Peck, Raney, Tuss.

Total 13

Voted Absentee: Boharski, Hagener, Holland, Taylor, Ayes; McCann, No.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: Grinde, Simon.

Total 2

SB 321 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Barnhart, Bergsagel, Devaney, Ewer, M. Hanson, Heavy Runner, Hurdle, Jore, Kadas, Kasten, Keenan, McCann, McGee, Murdock, Peck, Rehbein, Schwinden, Story, Taylor, Tuss.

Total 21

Voted Absentee: Boharski, Hagener, Holland, Ayes; McCann, Taylor, Noes.

Excused: Fuchs, Ream, Trexler.

Total 3

Absent or not voting: Grady.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cobb in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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SB 331 - Representative Tash moved SB 331 be concurred in.

Representative Harper moved SB 331, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON NATURAL RESOURCES COMMITTEE REPORT DATED MARCH 22, 1995, AS FOLLOWS:

Amendment No. 18

Strike: Amendment No. 18 in its entirety

Renumber: subsequent sections

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Rehbein.

Total 1

Voted Absentee: Fuchs, Ream, Trexler, Ayes.

Excused: Boharski, Hagener, Holland, McCann, Taylor.

Total 5

Absent or not voting: None.

Total 0

Representative Larson moved SB 331, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows:

Ayes: Arnott, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCulloch, McKee, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, L. Smith, Somerville, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 40

Noes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Knox, Marshall, Martinez, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Story, Stovall, Tash, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

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Total 54

Voted Absentee: Ream, Aye; Fuchs, Holland, Trexler, Noes.

Excused: Boharski, Hagener, McCann, Taylor.

Total 4

Absent or not voting: Keenan, Simon.

Total 2

Representative Tash moved SB 331, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 67

Noes: Arnott, Barnhart, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCulloch, McKee, Peck, Raney, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Voted Absentee: Boharski, Fuchs, Holland, McCann, Taylor, Trexler, Ayes; Hagener, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 330 - Representative Harper moved SB 330, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar.

Total 33

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

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Voted Absentee: Ream, Aye; Fuchs, Holland, Trexler, Noes.

Excused: Boharski, Hagener, McCann, Taylor.

Total 4

Absent or not voting: Keenan, Wyatt.

Total 2

Representative Heavy Runner excused at this time.

Representative Larson moved SB 330, second reading copy, be amended as follows (amendment #2).

1. Page 1, line 28.

Strike: "IF" through "USE"

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 82

Noes: Feland, R. Johnson, Jore, Murdock, Orr, Rehbein.

Total 6

Voted Absentee: Heavy Runner, Aye.

Excused: Boharski, Fuchs, Hagener, Holland, McCann, Ream, Taylor, Trexler.

Total 8

Absent or not voting: Cocchiarella, Grinde, Stovall, Zook.

Total 4

Representative Raney moved SB 330, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Sliter,

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L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 62

Voted Absentee: Heavy Runner, McCann, Ream, Ayes; Boharski, Fuchs, Holland, Trexler, Noes.

Excused: Hagener, Taylor.
Total 2

Absent or not voting: Keenan, Simpkins.
Total 2

Representative Larson moved SB 330, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 60

Voted Absentee: McCann, Ream, Ayes; Fuchs, Trexler, Noes.

Excused: Boharski, Hagener, Heavy Runner, Holland, Taylor.
Total 5

Absent or not voting: Keenan.
Total 1

Representative Kottel moved SB 330, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows:

Ayes: Arnott, Barnhart, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Nelson, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 34

Noes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 60

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Voted Absentee: Ream, Aye; Fuchs, Trexler, Noes.

Excused: Boharski, Hagener, Heavy Runner, Holland, McCann, Taylor.

Total 6

Absent or not voting: None.

Total 0

Representative Story moved SB 330, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Arnott, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCann, McCulloch, McKee, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 37

Voted Absentee: Boharski, Fuchs, Holland, Taylor, Trexler, Ayes; Hagener, Heavy Runner, McCann, Ream, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 346 - Representative Knox moved SB 346, second reading copy, be amended as follows (amendment #1):

1. Page 3, line 23.

Following: "(1)"

Strike: "The"

Insert: "Through rulemaking, the"

2. Page 3, line 25.

Following: "modify"

Insert: ", by making less stringent"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Clark, Cobb, Curtiss, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez,

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Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Carey, Cocchiarella, DeBruycker, Denny, Ellingson, Ewer, Harper, Hurdle, J. Johnson, Kadas, McCulloch, McKee, Peck, Raney, Schwinden, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 21

Excused: Boharski, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ream, Taylor, Trexler.

Total 9

Absent or not voting: Bohlinger, Brainard.

Total 2

Representative Knox moved SB 346, as amended, be concurred in.

Representative Knox moved consideration of SB 346 be placed below SB 395 on the second reading board. Motion carried.

SB 335 - Representative Elliott moved consideration of SB 335 be placed below SB 395 on the second reading board. Motion carried.

SB 80 - Representative T. Nelson moved SB 80 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Carey, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kottel, McCulloch, Menahan, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 23

Voted Absentee: Boharski, Fuchs, Holland, McCann, Taylor, Trexler, Ayes; Hagener, Heavy Runner, Noes.

Excused: Ream.

Total 1

Absent or not voting: Brainard, Story.

Total 2

SB 208 - Representative Anderson moved SB 208 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark,

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Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Bergman, Cobb.

Total 2

Voted Absentee: Boharski, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ream, Taylor, Ayes.

Excused: Trexler.

Total 1

Absent or not voting: Molnar.

Total 1

SB 187 - Representative Keenan moved SB 187, second reading copy, be amended (amendment #1). Motion failed as follows:

Ayes: Anderson, Brainard, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Feland, Forbes, Galvin, Grinde, Harrington, Jore, Kadas, Kasten, Keenan, Kitzenberg, Larson, McCulloch, McGee, Menahan, Mills, Ohs, Orr, Pavlovich, Quilici, Rehbein, Ryan, Schwinden, Shea, Sliter, L. Smith, S. Smith, Somerville, Squires, Tropila, Vick, Wagner, Wells, Wyatt, Mr. Speaker.

Total 43

Noes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Clark, Elliott, Ellis, Ewer, Fisher, Fuchs, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Hibbard, Hurdle, J. Johnson, R. Johnson, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McKee, Molnar, Murdock, Nelson, Peck, Raney, Rose, Simon, Simpkins, Soft, Story, Stovall, Tash, Trexler, Wennemar, Wiseman, Zook.

Total 47

Voted Absentee: Fuchs, Hagener, McCann, Trexler, Noes.

Excused: Boharski, Heavy Runner, Holland, Ream, Taylor.

Total 5

Absent or not voting: Curtiss, Grimes, Herron, Swanson, Tuss.

Total 5

Representative Brainard excused at this time.

Representative R. Johnson moved SB 187, second reading copy, be amended as follows (amendment #2):

AMEND HOUSE COMMITTEE ON BUSINESS AND LABOR COMMITTEE REPORT DATED MARCH 16,

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1995, AS FOLLOWS:

Amendment No. 11

Strike: ":"

Strike: "(a)"

Strike: "; or (b)" through "23-5-153"

Amendment #2 passed as follows:

Ayes: Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, Elliott, Ellis, Ewer, Fisher, Fuchs, Green, Hagener, Harper, Hayne, Herron, Hibbard, Hurdle, R. Johnson, Kadas, Knox, Marshall, McCann, McCulloch, McGee, McKee, Molnar, Nelson, Orr, Peck, Raney, Rehbein, Simon, Simpkins, Soft, Somerville, Squires, Stovall, Tash, Trexler, Vick, Wells, Wennemar, Wiseman, Mr. Speaker.

Total 49

Noes: Ahner, Anderson, Bergman, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Feland, Forbes, Galvin, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, J. Johnson, Jore, Keenan, Kitzenberg, Kottel, Larson, Martinez, Masolo, Menahan, Mills, Murdock, Ohs, Pavlovich, Quilici, Rose, Ryan, Schwinden, Shea, Sliter, L. Smith, S. Smith, Story, Tropila, Tuss, Wagner, Wyatt, Zook.

Total 44

Voted Absentee: Brainard, Fuchs, Hagener, McCann, Trexler, Ayes.

Excused: Boharski, Heavy Runner, Holland, Ream, Taylor.

Total 5

Absent or not voting: Kasten, Swanson.

Total 2

Representative R. Johnson moved SB 187, second reading copy, be further amended as follows (amendment #3):

AMEND HOUSE COMMITTEE ON BUSINESS AND LABOR COMMITTEE REPORT DATED MARCH 16, 1995, AS FOLLOWS:

Amendment No. 2

Strike: "by July 1, 1996"

Amendment #3 passed as follows:

Ayes: Anderson, Arnott, Barnhart, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, Elliott, Ellis, Ewer, Fisher, Fuchs, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Marshall, McCann, McCulloch, McGee, McKee, Molnar, Nelson, Orr, Peck, Raney, Rehbein, Schwinden, Simon, Simpkins, Soft, Squires, Story, Stovall, Tash, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 56

Noes: Ahner, Barnett, Bergman, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Feland, Forbes, Galvin, Grinde, H.S. Hanson, Harrington, Jore, Kasten, Keenan, Kottel, Larson, Martinez, Masolo, Menahan, Mills, Murdock, Ohs, Pavlovich, Quilici, Rose, Ryan, Shea, Sliter, L. Smith, S. Smith, Somerville, Tuss, Vick, Wagner.

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Total 37

Voted Absentee: Brainard, Fuchs, Hagener, McCann, Trexler, Ayes.

Excused: Boharski, Heavy Runner, Holland, Ream, Taylor.

Total 5

Absent or not voting: Swanson, Mr. Speaker.

Total 2

Representative Sliter moved SB 187, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows:

Ayes: Ahner, Brainard, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Feland, Forbes, Fuchs, Galvin, Green, Grinde, H.S. Hanson, Harrington, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Masolo, McGee, Menahan, Molnar, Ohs, Orr, Pavlovich, Quilici, Rehbein, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Tash, Trexler, Tropila, Tuss, Wagner, Mr. Speaker.

Total 46

Noes: Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Ellingson, Elliott, Ellis, Ewer, Fisher, Grady, Grimes, Hagener, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Marshall, Martinez, McCann, McCulloch, McKee, Mills, Murdock, Nelson, Peck, Raney, Ream, Rose, Simon, Soft, Story, Stovall, Swanson, Vick, Wells, Wennemar, Wyatt, Zook.

Total 50

Voted Absentee: Brainard, Fuchs, Trexler, Ayes; Hagener, Holland, McCann, Ream, Noes.

Excused: Boharski, Heavy Runner, Taylor.

Total 3

Absent or not voting: Wiseman.

Total 1

Representative R. Johnson moved SB 187, as amended, be concurred in. Motion failed as follows:

Ayes: Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Cobb, Curtiss, Ellingson, Elliott, Ellis, Ewer, Fisher, Green, Grimes, Hagener, Harper, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, R. Johnson, Kadas, Marshall, Martinez, McCann, McGee, McKee, Mills, Molnar, Nelson, Peck, Raney, Ream, Simon, Soft, Somerville, Stovall, Swanson, Trexler, Vick, Wells, Wennemar, Wiseman, Zook.

Total 47

Noes: Anderson, Boharski, Brainard, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Feland, Forbes, Fuchs, Galvin, Grady, Grinde, H.S. Hanson, M. Hanson, Harrington, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Masolo, McCulloch, Menahan, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Squires, Story, Tash, Taylor, Tropila, Tuss, Wagner, Wyatt, Mr. Speaker.

Total 52

Voted Absentee: Hagener, Heavy Runner, McCann, Ream, Trexler, Ayes; Boharski, Brainard, Fuchs, Holland,

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Taylor, Noes.

Excused: None.

Total 0

Absent or not voting: Ahner.

Total 1

Representatives H. Hanson, Ohs and Denny excused at this time.

SB 222 - Representative Bergman moved SB 222 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Jore.

Total 1

Voted Absentee: Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, Ohs, Taylor, Ayes.

Excused: H.S. Hanson, McCann, Ream, Trexler.

Total 4

Absent or not voting: Cocchiarella, Harrington.

Total 2

SB 395 - Representative Tuss moved SB 395 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brainard, DeBruycker, Jore, Kasten, Rehbein, Vick.

Total 6

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Voted Absentee: Boharski, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes; Brainard, No.

Excused: H.S. Hanson.
Total 1

Absent or not voting: Barnett, Molnar.
Total 2

SB 335 - Representative Simon moved SB 335 be concurred in.

Representative Bergsagel excused at this time.

Representative Elliott moved SB 335, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Arnott, Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Hagener, Harper, Harrington, Hurdle, Jore, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, L. Smith, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wells, Wyatt, Zook.
Total 40

Noes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Clark, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, J. Johnson, R. Johnson, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Rehbein, Rose, Simon, Sliter, S. Smith, Soft, Somerville, Story, Vick, Wagner, Wennemar, Wiseman, Mr. Speaker.
Total 47

Voted Absentee: Hagener, McCann, Ream, Ayes.

Excused: Bergsagel, Boharski, Brainard, Denny, Fuchs, H.S. Hanson, Heavy Runner, Holland, Ohs, Taylor, Trexler.
Total 11

Absent or not voting: Cobb, McGee.
Total 2

Representative Kottel moved SB 335, second reading copy, be amended as follows (amendment #2):

1. Page 1, line 13.

Following: "~~or~~"

Insert: "5% of each installment or"

Following: "~~less,~~"

Insert: ", whichever is less,"

Amendment #2 passed as follows:

Ayes: Arnott, Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Curtiss, Ellingson, Elliott, Ewer, Feland, Fisher,

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Galvin, Grady, Grimes, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, Menahan, Molnar, Murdock, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, L. Smith, Soft, Squires, Stovall, Swanson, Tropila, Tuss, Wells, Wennemar, Wyatt, Zook.

Total 51

Noes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Clark, DeBruycker, Devaney, Forbes, Fuchs, Green, Grinde, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McGee, McKee, Mills, Nelson, Rehbein, Rose, Simon, Sliter, S. Smith, Somerville, Story, Tash, Trexler, Vick, Wagner, Wiseman, Mr. Speaker.

Total 41

Voted Absentee: Bergsagel, Hagener, McCann, Ream, Ayes; Brainard, Fuchs, Trexler, Noes.

Excused: Boharski, Denny, H.S. Hanson, Heavy Runner, Holland, Ohs, Taylor.

Total 7

Absent or not voting: Ellis.

Total 1

Representative Simon moved SB 335, as amended, be concurred in.

Representative Elliott made a substitute motion SB 335, as amended, be not concurred in. Motion failed as follows:

Ayes: Arnott, Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, Menahan, Murdock, Pavlovich, Peck, Quilici, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 38

Noes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McGee, McKee, Mills, Molnar, Nelson, Orr, Raney, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 57

Voted Absentee: Bergsagel, Heavy Runner, McCann, Ream, Ayes; Boharski, Fuchs, Hagener, Holland, Taylor, Trexler, Noes.

Excused: Brainard, Denny, H.S. Hanson, Ohs.

Total 4

Absent or not voting: Fisher.

Total 1

The be concurred in, as amended, motion of Representative Simon failed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Devaney, Ellis,

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Forbes, Fuchs, Grady, Green, Grinde, Hagener, M. Hanson, Hayne, Herron, Holland, R. Johnson, Kasten, Keenan, Knox, Marshall, Masolo, McGee, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Raney, Rose, Simon, Sliter, S. Smith, Story, Taylor, Trexler, Vick, Wiseman, Mr. Speaker.

Total 45

Noes: Arnott, Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Grimes, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Jore, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, McKee, Menahan, Murdock, Peck, Quilici, Ream, Rehbein, Ryan, Schwinden, Shea, Simpkins, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook.

Total 52

Voted Absentee: Boharski, Fuchs, Hagener, Holland, Ohs, Taylor, Trexler, Ayes; Bergsagel, Heavy Runner, McCann, Ream, Noes.

Excused: Brainard, Denny, H.S. Hanson.

Total 3

Absent or not voting: None.

Total 0

SB 346 - Representative Knox moved SB 346, second reading copy, be further amended as follows (amendment #2):

Strip Representative Knox's committee of the whole amendment, March 25, 1995, 8:27 am, on Senate Bill 346 in its entirety.

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Orr, Rehbein.

Total 2

Excused: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, H.S. Hanson, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler.

Total 14

Absent or not voting: Cobb, S. Smith.

Total 2

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Representative Knox moved SB 236, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Boharski, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Taylor, Trexler, Ayes.

Excused: Bergsagel, Brainard, H.S. Hanson, Ream.

Total 4

Absent or not voting: Barnett.

Total 1

Representative Kasten assumed the Chair at this time.

SB 416 - Representative Soft moved SB 416 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kasten.

Total 1

Voted Absentee: Bergsagel, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Ayes.

Excused: Boharski, H.S. Hanson, Trexler.

Total 3

Absent or not voting: DeBruycker, Stovall.

Total 2

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SB 293 - Representative Cobb moved SB 293 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: None.

Total 0

Representative Cobb resumed the Chair at this time.

SB 401 - Representative Carey moved SB 401 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Tuss.

Total 1

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Ellis, Grimes.

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Total 2

SB 64 - Representative Soft moved SB 64 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Cocchiarella, Galvin, Grady, Harrington, Kitzenberg, Larson, Murdock, Pavlovich, Quilici, Rehbein, Schwinden, Shea, Tuss, Wennemar.

Total 14

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Barnhart, Tropila.

Total 2

HB 604 - Representative Grinde moved consideration of HB 604 be passed for the day. Motion carried.

SB 272 - Representative Anderson moved SB 272 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes.

Excused: H.S. Hanson.

Total 1

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Absent or not voting: Keenan, Marshall.

Total 2

SJR 16 - Representative Shea moved SJR 16 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Ellingson, Harper, Harrington, Tuss.

Total 4

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Ayes.

Excused: H.S. Hanson, Trexler.

Total 2

Absent or not voting: Ewer.

Total 1

SB 185 - Representative Anderson moved SB 185 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes.

Excused: H.S. Hanson.

Total 1

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Absent or not voting: None.
Total 0

SB 316 - Representative McGee moved SB 316 be concurred in.

Representative Anderson moved SB 316, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 15.
Strike: "shall"
Insert: "may not"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Bergman, Bohlinger, Cobb, Cocchiarella, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, M. Hanson, Harrington, Herron, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Larson, Marshall, Masolo, McGee, Menahan, Murdock, Nelson, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, Squires, Story, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.
Total 58

Noes: Barnett, Barnhart, Carey, Clark, Curtiss, DeBruycker, Ellingson, Grimes, Harper, Hayne, Hibbard, Hurdle, R. Johnson, Kadas, Knox, Kottel, McCulloch, McKee, Mills, Molnar, Orr, Peck, Schwinden, S. Smith, Soft, Somerville, Mr. Speaker.
Total 27

Excused: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, H.S. Hanson, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler.
Total 14

Absent or not voting: Martinez.
Total 1

Representative McGee moved SB 316, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Ohs, Orr, Peck, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 74

Noes: Cobb, Cocchiarella, Devaney, Ewer, Grady, Harrington, Kasten, Keenan, Kitzenberg, Larson, Masolo, Murdock, Nelson, Pavlovich, Quilici, Raney, Rehbein, Shea, Story, Stovall, Tropila, Tuss, Wennemar, Wyatt.
Total 24

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Tash, Taylor, Ayes.

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Excused: H.S. Hanson, Trexler.

Total 2

Absent or not voting: None.

Total 0

SB 333 - Representative Hurdle moved SB 333 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Brainard, Devaney, Fisher, Grady, Jore, Kasten, Keenan, Kitzenberg, Marshall, Murdock, Pavlovich, Quilici, Rehbein, Schwinden, Tropila.

Total 15

Voted Absentee: Bergsagel, Boharski, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, Ohs, Ream, Taylor, Trexler, Ayes; Brainard, No.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Grinde.

Total 1

Representative Kasten resumed the Chair at this time.

Representative McGee excused at this time.

SB 113 - Representative Carey moved SB 113 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Forbes, Green, Grimes, Grinde, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Arnott, Boharski, Brainard, Elliott, Fisher, Fuchs, Galvin, Grady, Hagener, Herron, Jore, Larson, Martinez, Pavlovich, Rehbein, L. Smith, Tuss, Vick, Wagner.

Total 19

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Voted Absentee: Bergsagel, Denny, Heavy Runner, Holland, McCann, McGee, Ohs, Ream, Taylor, Trexler, Ayes; Boharski, Brainard, Fuchs, Hagener, Noes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Cocchiarella, Molnar, Sliter, S. Smith.

Total 4

SB 174 - Representative Cobb moved SB 174 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Fuchs, Jore, Kasten, Rehbein, L. Smith, Vick.

Total 6

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Hagener, Heavy Runner, Holland, McCann, McGee, Ohs, Ream, Taylor, Trexler, Ayes; Fuchs, No.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Curtiss.

Total 1

Representative Cobb resumed the Chair at this time.

Representative Orr excused at this time.

SB 218 - Representative Wiseman moved SB 218 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

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Noes: Arnott, Boharski, Clark, Cocchiarella, Ellingson, Heavy Runner, Martinez, Rehbein, L. Smith, Wagner.
Total 10

Voted Absentee: Bergsagel, Brainard, Denny, Fuchs, Hagener, Holland, McCann, McGee, Ohs, Orr, Ream, Taylor, Trexler, Ayes; Boharski, Heavy Runner, Noes.

Excused: H.S. Hanson.
Total 1

Absent or not voting: None.
Total 0

Representative Mercer excused at this time.

SB 347 - Representative Sliter moved SB 347 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 71

Noes: Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Harper, Harrington, Heavy Runner, R. Johnson, Kadas, Kottel, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar, Wyatt.
Total 28

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, H.S. Hanson, Holland, McCann, McGee, Ohs, Orr, Taylor, Mr. Speaker, Ayes; Heavy Runner, Ream, Noes.

Excused: Trexler.
Total 1

Absent or not voting: None.
Total 0

SJR 15 - Representative Wagner moved SJR 15 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 66

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Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Molnar, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tuss, Wennemar.

Total 31

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, H.S. Hanson, Holland, McGee, Ohs, Orr, Taylor, Mr. Speaker, Ayes; Hagener, Heavy Runner, McCann, Ream, Noes.

Excused: Trexler.

Total 1

Absent or not voting: DeBruycker, Ellis.

Total 2

Representative Kasten resumed the Chair at this time.

SB 193 - Representative Tropila moved SB 193 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 96

Noes: None.

Total 0

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, Heavy Runner, Holland, McCann, McGee, Ohs, Orr, Ream, Taylor, Ayes.

Excused: H.S. Hanson, Trexler, Mr. Speaker.

Total 3

Absent or not voting: S. Smith.

Total 1

SJR 8 - Representative Simpkins moved SJR 8 be concurred in.

Representative Cocchiarella moved SJR 8, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

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Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook.

Total 55

Voted Absentee: Heavy Runner, Ream, Ayes; Brainard, Fuchs, Holland, Taylor, Trexler, Noes.

Excused: Bergsagel, Boharski, Denny, Hagener, H.S. Hanson, McCann, McGee, Ohs, Orr, Mr. Speaker.

Total 10

Absent or not voting: Vick.

Total 1

The concur motion of Representative Simpkins passed as follows:

Ayes: Ahner, Anderson, Arnott, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Tropila, Wagner, Wells, Wiseman, Wyatt, Zook.

Total 67

Noes: Barnett, Barnhart, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fuchs, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, McGee, Molnar, Peck, Raney, Rehbein, Shea, Squires, Story, Tuss, Wennemar.

Total 24

Voted Absentee: Bergsagel, Brainard, Denny, Hagener, Holland, McCann, Ohs, Orr, Ream, Taylor, Ayes; Fuchs, Heavy Runner, McGee, Noes.

Excused: Boharski, H.S. Hanson, Trexler, Mr. Speaker.

Total 4

Absent or not voting: Carey, Kadas, Kitzenberg, Schwinden, Vick.

Total 5

SB 167 - Representative Curtiss moved SB 167 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor,

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Trexler, Vick, Wagner, Wells, Wiseman, Zook.

Total 71

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, McCulloch, Menahan, Quilici, Raney, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 27

Voted Absentee: Bergsagel, Boharski, Brainard, Denny, Fuchs, Hagener, H.S. Hanson, Holland, McCann, McGee, Ohs, Orr, Taylor, Trexler, Ayes; Heavy Runner, No.

Excused: Ream, Mr. Speaker.

Total 2

Absent or not voting: None.

Total 0

SB 297 - Representative Ryan moved SB 297 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Ellis, Ewer, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 74

Noes: Arnott, Barnhart, Boharski, Brainard, Cobb, Devaney, Elliott, Feland, Fisher, Fuchs, Hayne, Herron, Jore, Kasten, Keenan, Martinez, Masolo, Múrdock, Orr, Rehbein, L. Smith, Tuss, Vick, Wagner.

Total 24

Voted Absentee: Bergsagel, Denny, Hagener, Heavy Runner, Holland, McCann, McGee, Ohs, Ream, Taylor, Trexler, Ayes; Boharski, Brainard, Fuchs, Orr, Noes.

Excused: H.S. Hanson, Mr. Speaker.

Total 2

Absent or not voting: None.

Total 0

SB 372 - Representative Ahner moved SB 372 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Múrdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler,

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Tropila, Wells, Wennemar, Wiseman, Zook.
Total 80

Noes: Brainard, Denny, Ellingson, Feland, Fuchs, Grinde, R. Johnson, Jore, Keenan, McCann, Simpkins, Tuss, Vick, Wagner, Wyatt.
Total 15

Voted Absentee: Bergsagel, Hagener, Heavy Runner, McGee, Ohs, Orr, Ream, Taylor, Trexler, Ayes; Brainard, Denny, Fuchs, McCann, Noes.

Excused: Boharski, H.S. Hanson, Holland, Mr. Speaker.
Total 4

Absent or not voting: Galvin.
Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Representative M. Hanson in the Chair. Chairman Kasten moved that the Committee of the Whole report be adopted. Report adopted. (59-17)

MOTIONS

SB 187 - Representative Somerville moved he be allowed to change his vote on SB 187, second reading, from nay to aye. Motion carried.

SB 232 - Representative Rehbein moved SB 232 be taken from the table in the Committee on Education & Cultural Resources, printed, and placed on second reading this legislative day. Motion failed. (27-47)

HB 593 - Representative Hibbard moved he be allowed to change his vote on HB 593, third reading, from aye to not voting. Motion carried.

SB 329 - Representative Kadas moved he be allowed to change his vote on SB 329, third reading, from aye to nay. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 9:00 a.m., Monday, March 27, 1995. Motion carried.

House adjourned at 5:10 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana
March 27, 1995

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Charles R. Devaney. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives H. Hanson, Holland, Wyatt, excused. Quorum present.

Representatives Bergsagel and L. Smith excused at this time.

Mr. Speaker introduced today's Honorary pages:

Kari Jore, Ronan
Angie Jore, Ronan
Nicole Jore, Ronan
Rikke Jore, Ronan
Ben Jore, Ronan
Kayje Booker, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/27/95
Correctly enrolled: HB 343, HB 357, HB 376, HB 414, HB 434, HB 448, HB 534, HB 570, HB 572.
Examined by the sponsor and found to be correct: HB 357, HB 414, HB 434, HB 448, HB 534, HB 570, HB 572.
Delivered to the Governor for his approval at 8:15 a.m., 3/27/95: HB 55, HB 84, HB 375.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/25/95

HB 343, introduced by Holland
HB 357, introduced by Boharski
HB 376, introduced by Simpkins
HB 414, introduced by Harper
HB 434, introduced by Cobb
HB 448, introduced by Somerville
HB 534, introduced by Harrington
HB 570, introduced by Wiseman
HB 572, introduced by Harrington

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/25/95

HB 356, introduced by Boharski
HB 418, introduced by Devaney
HB 429, introduced by Molnar
HJR 13, introduced by Hagener

Senate bill passed and transmitted to the House for concurrence: 3/25/95

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SB 385, introduced by Eck

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

March 25, 1995

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 408, **"AN ACT TO PROVIDE FOR PAYMENT BY THE STATE OF COSTS AND ATTORNEY FEES OF SMALL BUSINESSES THAT PREVAIL AGAINST THE STATE IN CERTAIN COURT AND ADMINISTRATIVE PROCEEDINGS; AND PROVIDING AN APPLICABILITY DATE"** for the following reasons.

House Bill 408 provides for the award of fees and expenses (including expert witness expenses, costs of engineering reports, tests or projects, discovery costs and attorneys' fees) to small businesses (fewer than 100 employees) that prevail in a court case or administrative hearing involving the business regulatory functions of the State. The award must be made unless the position of the State in the legal or administrative proceeding is "well-grounded in fact and warranted by existing law or a good faith argument for the extension or modification of existing law."

I agree with the policy behind the bill -- that if the State unjustifiably involves a party in an administrative or legal process it should pay the legal expenses of that party (small business or otherwise). However, existing law already contains adequate remedies for such unfairness.

Section 25-10-711, MCA, entitles a prevailing party that opposes a state agency in any civil action to legal costs and attorneys' fees if the court finds the claim or defense of the agency was frivolous or pursued in bad faith. In addition, Rule 11 of the Montana Rules of Civil Procedure provides that documents filed with a court must be well-grounded in fact and warranted by existing law or a good faith argument for a change in that law -- the same language used in House Bill 408. If Rule 11 is violated the court is required to impose an appropriate sanction that may include legal expenses and attorneys' fees.

Aside from the protections already in the law that make the bill unnecessary, I believe House Bill 408 is unwarranted for other reasons. Although the intent of the legislation may be to cut down on litigation with the State, this bill will in my view invite even more lawsuits. As an example, there will be additional litigation to interpret the definition of "prevailing" found in section 1. If there are two substantive issues and the State prevails on one, which party is the "prevailing" party? And section 4 provides for appeal of the size of the fee awarded.

Moreover, the bill applies to one segment of society (small businesses) and covers one type of government regulation (business and commercial regulation). If there are rights to be vindicated with respect to unjustifiable regulation by the State, they should not be grounded upon arbitrary classifications. They should cover all segments

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of society, not just small businesses, and they should apply to all agency regulation, not just commercial regulation.

I am unaware of any legal or administrative actions brought by a state agency that could not meet the definition of "substantially justified" as that phrase is defined in section 1 of the bill. Perhaps that is why I cannot recall hearing of any case where the protections of section 25-10-711, MCA, or Rule 11 have been triggered. Nevertheless, those protections are already in the law, and I believe they obviate any need for passage of House Bill 408, which will precipitate more litigation, interfere with the functions assigned by law to professional and occupational licensing boards, and require additional and unnecessary administrative rulemaking by the Attorney General.

Sincerely,

MARC RACICOT
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bill was introduced, read first time, and referred to committee:

SB 385, introduced by Eck, referred to Committee on Human Services & Aging.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Somerville in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 278 - Representative Grinde moved consideration of SB 278 be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 209 - Representative Cobb moved SB 209, second reading copy, be amended as follows (amendment #1):

1. Page 5, line 25.

Insert: "(8) The department shall furnish workers' compensation coverage, as provided in 39-71-118, for recipients in any component of the FAIM project who perform community service work or who participate in a work experience program."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S.

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Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Voted Absentee: Wyatt, Aye.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Bergsagel, Jore, Mills, Ream, Vick.

Total 5

Representative Cobb moved SB 209, second reading copy, be further amended as follows (amendment #2):

1. Page 21, line 3.

Following: "9"

Insert: "(a)"

2. Page 21, line 9.

Insert: "(b) Notwithstanding [sections 1 through 14], it is the intent of the legislature that rules may not be adopted except to implement the waiver granted by the U.S. secretary of health and human services under section 1115 of the Social Security Act, 42 U.S.C. 1315, and to implement the FAIM program. Rules may not implement any other program or programs that may result because of federal welfare reform unless the rules are required for compliance with federal law."

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Wyatt, Aye.

Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Grimes, Ohs, Ream.

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Total 3

Representative Green excused at this time.

Representative Hurdle moved SB 209, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Somerville, Squires, Swanson, Tropila, Tuss, Wennemar.
Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Zook, Mr. Speaker.
Total 60

Excused: Bergsagel, Green, H.S. Hanson, Holland, Wyatt.
Total 5

Absent or not voting: Wiseman.
Total 1

Representative Hayne moved SB 209, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 94

Noes: DeBruycker, Heavy Runner, Jore, Martinez, Wyatt.
Total 5

Voted Absentee: Bergsagel, Green, Holland, Ayes; Wyatt, No.

Excused: H.S. Hanson.
Total 1

Absent or not voting: None.
Total 0

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SB 144 - Representative Larson moved consideration of SB 144 be passed for the day. Motion carried.

HB 604 - Representative Grinde moved consideration of HB 604 be placed at the top of the second reading board. Motion carried.

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Somerville moved that the Committee of the Whole report be adopted. Report adopted. (85-3)

Representative Grinde moved the House recess until 10:30 a.m. Motion carried.

House recessed at 10:05 a.m.

House reconvened at 10:35 a.m. Mr. Speaker in the Chair.

Representative Wyatt present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 591 passed as follows:

Ayes: Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, J. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simpkins, Sliter, Squires, Stovall, Swanson, Taylor, Tropila, Tuss, Wells, Wiseman, Wyatt, Zook.
Total 57

Noes: Ahner, Anderson, Arnott, Barnett, Boharski, Brainard, Cobb, DeBruycker, Devaney, Ellis, Feland, Fisher, Grimes, Grinde, Herron, Hurdle, R. Johnson, Jore, Kadas, Kasten, McGee, Molnar, Orr, Rehbein, Schwinden, Simon, L. Smith, S. Smith, Soft, Somerville, Story, Tash, Trexler, Vick, Wagner, Wennemar, Mr. Speaker.
Total 37

Voted Absentee: Green, McCann, Ayes.

Excused: Bergsagel, H.S. Hanson, Holland.
Total 3

Absent or not voting: Curtiss, Martinez, Mills.
Total 3

SB 86 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Green, Grimes,

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Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Arnott, DeBruycker.

Total 2

Voted Absentee: Green, L. Smith, Ayes.

Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Curtiss, Galvin, Grady.

Total 3

SB 210 concurred in as follows:

Ayes: Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Galvin, Grady, Green, Grimes, Grinde, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Squires, Swanson, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt.

Total 59

Noes: Ahner, Anderson, Arnott, Barnett, Boharski, Brainard, Cobb, Devaney, Feland, Fisher, Forbes, Fuchs, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Martinez, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Zook, Mr. Speaker.

Total 37

Voted Absentee: Green, Aye; L. Smith, No.

Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Curtiss.

Total 1

SB 265 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream,

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Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, Feland, Grinde, Jore, Kasten, Keenan, Rehbein, Vick.

Total 8

Voted Absentee: Green, L. Smith, Ayes.

Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Curtiss.

Total 1

SB 303 concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Arnott, Barnett, Cobb, Fuchs, Grinde, Herron, Jore, Kitzenberg, Masolo, Orr, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Green, L. Smith, Ayes.

Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Curtiss.

Total 1

SB 307 concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Galvin, Grady, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

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Noes: Boharski, DeBruycker, Fuchs, Green, Kasten, Ryan, S. Smith, Story, Vick.
Total 9

Voted Absentee: L. Smith, Aye; Green, No.

Excused: Bergsagel, H.S. Hanson, Holland.
Total 3

Absent or not voting: Anderson, Bergman, Curtiss, Denny, Forbes.
Total 5

SB 354 concurred in as follows:

Ayes: Ahner, Barnhart, Bohlinger, Carey, Cocchiarella, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ryan, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt.
Total 58

Noes: Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Cobb, Curtiss, Denny, Fisher, Grady, Green, Grimes, Grinde, Hayne, Herron, Jore, Kadas, Kasten, Keenan, Martinez, Masolo, Molnar, Orr, Ream, Rehbein, Rose, Schwinden, L. Smith, S. Smith, Story, Tash, Taylor, Trexler, Vick, Wagner, Zook, Mr. Speaker.
Total 39

Voted Absentee: Green, L. Smith, Noes.

Excused: Bergsagel, H.S. Hanson, Holland.
Total 3

Absent or not voting: None.
Total 0

SB 376 concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kasten, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Jore, Kadas, Keenan, Kitzenberg, Martinez, Menahan, Rehbein, Vick.
Total 8

Voted Absentee: Green, L. Smith, Ayes.

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Excused: Bergsagel, H.S. Hanson, Holland.

Total 3

Absent or not voting: Anderson, Grinde.

Total 2

SB 295 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Arnott, Fisher, Hayne, Kasten, Rehbein, L. Smith.

Total 6

Voted Absentee: Bergsagel, Green, Ayes; L. Smith, No.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Fuchs.

Total 1

SB 340 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Carey, Ellingson, Galvin, Peck, Tuss, Wennemar.

Total 6

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

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Absent or not voting: Fuchs.

Total 1

SB 353 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Kitzenberg.

Total 1

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Hayne.

Total 1

SB 80 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 72

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kottel, McCann, McCulloch, Menahan, Peck, Raney, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 26

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

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SB 208 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Cobb.

Total 1

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Ellis, J. Johnson.

Total 2

SB 222 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 395 concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: DeBruycker, Jore, Kasten, Rehbein, Vick.

Total 5

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Denny.

Total 1

SB 416 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Arnott, Kasten, Rehbein.

Total 3

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Fuchs.

Total 1

SB 293 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher,

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Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.
Total 2

Absent or not voting: None.
Total 0

SB 401 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Tuss.
Total 1

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.
Total 2

Absent or not voting: Ryan, Squires.
Total 2

SB 64 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee,

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McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Brainard, Cobb, Ewer, Galvin, Harrington, Heavy Runner, Kitzenberg, Larson, Murdock, Pavlovich, Quilici, Rehbein, Shea, Tuss.

Total 14

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 272 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SJR 16 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S.

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Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Ellingson, Harper, Ream, Tuss.

Total 4

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Ewer, Grady.

Total 2

SB 185 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Murdock.

Total 1

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 333 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

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Noes: Brainard, Devaney, Fisher, Harrington, Herron, Jore, Kasten, Keenan, Kitzenberg, Larson, Menahan, Murdock, Rehbein, Schwinden, Tropila, Tuss.

Total 16

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 113 concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Ellis, Ewer, Feland, Forbes, Fuchs, Green, Grimes, M. Hanson, Harper, Harrington, Hayne, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Orr, Peck, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Arnott, Barnett, Boharski, Brainard, Cobb, Devaney, Elliott, Fisher, Galvin, Grady, Grinde, Hagener, Heavy Runner, Herron, Jore, Kasten, Keenan, Larson, Martinez, Murdock, Nelson, Ohs, Pavlovich, Quilici, Rehbein, Sliter, Tuss, Vick, Wagner, Wyatt.

Total 30

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 174 concurred in as follows:

Ayes: Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Ahner, Bergman, Grinde, Hayne, Jore, Kasten, Keenan, Rehbein, L. Smith, Vick.

Total 10

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Voted Absentee: Bergsagel, Green, Ayes; L. Smith, No.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Carey.

Total 1

SB 218 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Arnott, Boharski, Clark, Grinde, Rehbein, L. Smith, Wagner.

Total 7

Voted Absentee: Bergsagel, Green, Ayes; L. Smith, No.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 347 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harrington, Hayne, Herron, Hibbard, Hurdle, J. Johnson, Jore, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Bohlinger, Carey, Denny, Ellingson, Ewer, Galvin, Harper, Heavy Runner, R. Johnson, Kadas, Keenan, Kottel, McCann, McCulloch, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar.

Total 25

Voted Absentee: Bergsagel, Green, L. Smith; Ayes.

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Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SJR 15 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, McCann, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 67

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, Masolo, McCulloch, McGee, Menahan, Raney, Ream, Rose, Ryan, Schwinden, Squires, Swanson, Tuss, Wennemar, Wyatt.

Total 31

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 193 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Molnar.

Total 1

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

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Absent or not voting: Rose.

Total 1

SJR 8 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Kasten, Keenan, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rose, Ryan, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 66

Noes: Barnett, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Grady, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kitzenberg, Marshall, McGee, Molnar, Peck, Raney, Ream, Rehbein, Schwinden, Squires, Story, Tuss, Vick, Wennemar.

Total 29

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Boharski, Carey, Simon.

Total 3

SB 167 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Herron, Hibbard, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Carey, Cocchiarella, Denny, Ellingson, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Menahan, Raney, Ream, Ryan, Schwinden, Shea, Swanson, Tropila, Tuss, Wennemar.

Total 23

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Story.

Total 1

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SB 297 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Arnott, Boharski, Brainard, Devaney, Fisher, Hayne, Herron, Jore, Kasten, Keenan, Martinez, Masolo, Murdock, Nelson, Orr, Rehbein, L. Smith, S. Smith, Tuss, Vick, Wagner.

Total 21

Voted Absentee: Bergsagel, Green, Ayes; L. Smith, No.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

SB 372 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Brainard, Denny, R. Johnson, Jore, Vick, Wagner.

Total 6

Voted Absentee: Bergsagel, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Somerville in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 278 - Representative Grinde moved consideration of SB 278 be placed below HB 604 on the second reading board. Motion carried.

HB 604 - Representative Bohlinger moved HB 604, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Boharski, Bohlinger, Carey, Devaney, Ellingson, Elliott, Ewer, Fisher, Galvin, Grimes, Hagener, Harper, Harrington, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Martinez, McCann, McKee, Menahan, Nelson, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Soft, Somerville, Stovall, Swanson, Trexler, Tropila, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 44

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellis, Feland, Forbes, Fuchs, Grady, Grinde, M. Hanson, Hayne, Heavy Runner, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Masolo, McCulloch, McGee, Mills, Murdock, Ohs, Pavlovich, Ream, Rehbein, Simpkins, Sliter, S. Smith, Squires, Story, Tash, Taylor, Tuss, Vick, Wagner, Wells.

Total 47

Excused: Green, H.S. Hanson, Holland, L. Smith.

Total 4

Absent or not voting: Bergsagel, Cobb, Molnar, Orr, Wyatt.

Total 5

Representative Boharski moved HB 604, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Arnott, Barnett, Bergman, Boharski, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grimes, Grinde, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Knox, Martinez, McGee, Molnar, Murdock, Nelson, Ohs, Rehbein, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 43

Noes: Ahner, Anderson, Barnhart, Bohlinger, Brainard, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 50

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Excused: Green, H.S. Hanson, Holland, L. Smith.
Total 4

Absent or not voting: Bergsagel, Cobb, Orr.
Total 3

Representative Cocchiarella moved to reconsider action of Amendment #1. Motion failed as follows: (46-49)

Representative Boharski moved HB 604 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCulloch, McGee, Mills, Molnar, Murdock, Ohs, Orr, Ream, Rehbein, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 58

Noes: Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McKee, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, L. Smith, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.
Total 41

Voted Absentee: Bergsagel, Green, H.S. Hanson, Ayes; L. Smith, No.

Excused: Holland.
Total 1

Absent or not voting: None.
Total 0

Representative Elliott excused at this time.

SB 278 - Representative Grimes moved SB 278 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

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Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Molnar.

Total 1

SB 415 - Representative Quilici moved SB 415 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Bergsagel, Elliott, Green, L. Smith, Ayes.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Molnar.

Total 1

SB 27 - Representative Vick moved SB 27 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

Voted Absentee: Bergsagel, Elliott, Green, L. Smith, Ayes.

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Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Barnhart, Martinez, Rose, Sliter.

Total 4

SJR 11 - Representative Heavy Runner moved SJR 11 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Barnett, Bergman, Bergsagel, M. Hanson, Jore, Kasten, McGee, Rehbein, Story, Vick, Wagner.

Total 11

Voted Absentee: Elliott, Green, Holland, L. Smith, Ayes; Bergsagel, No.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Brainard, Ellingson, Molnar, S. Smith, Taylor.

Total 5

SB 229 - Representative Soft moved SB 229 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brainard, Ewer, Heavy Runner, Hurdle, Jore, Wennemar.

Total 6

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

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Absent or not voting: None.

Total 0

SB 158 - Representative Bohlinger moved SB 158 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Molnar.

Total 1

SB 388 - Representative Cobb moved SB 388, second reading copy, be amended as follows (amendment #1):

1. Page 9, line 21.

Following: "."

Insert: "The department may not expand eligibility requirements unless authorized by the legislature."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 90

Noes: None.

Total 0

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Excused: Bergsagel, Elliott, Green, H.S. Hanson, Holland, L. Smith.

Total 6

Absent or not voting: Galvin, Hagener, Tash, Wyatt.

Total 4

Representative Cobb moved SB 388, second reading copy, be further amended as follows (amendment #2):

1. Page 8, line 30.

Following: "."

Insert: "If available funds are not sufficient to provide medical assistance for all eligible persons, the department may set priorities to limit, reduce, or otherwise curtail the amount, scope, or duration of the medical services made available under the Montana medicaid program and managed care."

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Ewer, Harrington, Squires.

Total 3

Excused: Bergsagel, Elliott, Green, H.S. Hanson, Holland, L. Smith.

Total 6

Absent or not voting: Molnar, Simon.

Total 2

Representative Grimes moved SB 388, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cobb, DeBruycker, Heavy Runner.

Total 3

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Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: None.

Total 0

HB 363 - Representative Swanson moved HB 363 do pass. Motion carried as follows:

Ayes: Anderson, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Green, Grimes, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, R. Johnson, Jore, Kadas, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Mills, Ohs, Peck, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Soft, Somerville, Squires, Story, Stovall, Swanson, Tropila, Tuss, Vick, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 59

Noes: Ahner, Arnott, Bergman, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Feland, Forbes, Fuchs, Grady, Grinde, Hagener, M. Hanson, Hayne, Holland, J. Johnson, Kasten, Kitzenberg, Martinez, Masolo, Murdock, Nelson, Orr, Pavlovich, Quilici, Schwinden, Sliter, L. Smith, S. Smith, Tash, Taylor, Trexler, Wagner, Wiseman.

Total 38

Voted Absentee: Bergsagel, Elliott, Green, Ayes; Holland, L. Smith, Noes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Keenan, Molnar..

Total 2

SB 271 - Representative Kottel moved SB 271 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

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Excused: H.S. Hanson.

Total 1

Absent or not voting: Grimes, Molnar.

Total 2

SB 124 - Representative Carey moved SB 124 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Barnhart, Brainard, Clark, Keenan.

Total 4

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: Fuchs, Grady.

Total 2

SB 90 - Representative Curtiss moved SB 90 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, Carey, Ellingson, Ewer, Galvin, Heavy Runner, Hurdle, Larson, Schwinden, Tuss, Wyatt.

Total 11

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.

Total 1

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Absent or not voting: Nelson.
Total 1

SB 13 - Representative Anderson moved SB 13 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Hagener, Ryan.
Total 2

Voted Absentee: Bergsagel, Elliott, Green, Holland, L. Smith, Ayes.

Excused: H.S. Hanson.
Total 1

Absent or not voting: Molnar.
Total 1

Representatives Elliott and L. Smith excused at this time.

SB 252 - Representative Harper moved SB 252, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 37

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 61

Voted Absentee: Bergsagel, Holland, Noes.

Excused: Green, H.S. Hanson.
Total 2

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Absent or not voting: None.

Total 0

Representative Grady excused at this time.

Representative Kadas moved SB 252, second reading copy, be amended (amendment #2).

Representative Grinde moved consideration of SB 252 be placed below SB 313 on the second reading board.
Motion carried.

SB 362 - Representative Sliter moved SB 362 be concurred in.

Representative Ewer moved SB 362, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Excused: Bergsagel, Grady, Green, H.S. Hanson, Holland.

Total 5

Absent or not voting: Keenan.

Total 1

The be concurred motion of Representative Sliter carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, Carey, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCann, McCulloch, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 34

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Voted Absentee: Bergsagel, Grady, Green, H.S. Hanson, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 371 - Representative Curtiss moved SB 371 be concurred in.

Representative Story moved SB 371, second reading copy, be amended as follows (amendment #1):

1. Page 10, line 25.

Strike: "2"

Insert: "4"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Bergsagel, Grady, Green, H.S. Hanson, Holland.

Total 5

Absent or not voting: None.

Total 0

Representative Curtiss moved SB 371, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCann, McCulloch,

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Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 37

Voted Absentee: Bergsagel, Grady, Green, H.S. Hanson, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: Arnott, Curtiss.

Total 2

SB 231 - Representative Knox moved SB 231 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 78

Noes: Carey, Cocchiarella, Ellingson, Ewer, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCann, McCulloch, Raney, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 22

Voted Absentee: Bergsagel, Grady, Green, H.S. Hanson, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Arnott excused at this time.

SB 189 - Representative Hurdle moved SB 189 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grimes, Grinde, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

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Noes: Boharski, DeBruycker, Feland, Fuchs, Grady, Green, H.S. Hanson, M. Hanson, Kasten, Kitzenberg, McGee, Mills, Murdock, Ohs, Rehbein, S. Smith, Taylor, Trexler.

Total 18

Voted Absentee: Ahner, Bergsagel, Holland, Ayes; Grady, Green, H.S. Hanson, Noes.

Excused: None.

Total 0

Absent or not voting: Arnott, Cobb, Knox, Molnar, Sliter, Vick.

Total 6

SB 252 - Representative Grinde moved consideration of SB 252 be placed at the top of the second reading board. Motion carried.

Representative Kadas moved SB 252, second reading copy, be amended (amendment #2).

Representative Kadas withdrew amendment #2.

Representative Kadas moved consideration of SB 252 be placed below SB 313 on the second reading board. Motion carried.

SB 313 - Representative Bohlinger moved SB 313 be concurred in.

Representative Grady present at this time.

Representative Cocchiarella moved SB 313, second reading copy, be amended as follows (amendment #1):

1. Page 2, line 18.

Following: "it"

Insert: "complies with federal antitrust law and it"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 83

Noes: Devaney, Elliott, Ellis, Herron, Marshall, Rose, Wyatt.

Total 7

Excused: Arnott, Bergsagel, Green, H.S. Hanson, Holland.

Total 5

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Absent or not voting: Denny, Fuchs, Jore, Murdock, Schwinden.
Total 5

Representative Bohlinger moved SB 313, as amended, be concurred in. Motion failed as follows:

Ayes: Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Devaney, Ellingson, Elliott, Ellis, Fisher, Fuchs, Hayne, Heavy Runner, Herron, Hibbard, R. Johnson, Kottel, Marshall, Masolo, McCann, McKee, Ohs, Quilici, Schwinden, Sliter, Swanson, Tuss.
Total 30

Noes: Ahner, Anderson, Arnott, Boharski, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ewer, Feland, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Martinez, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 69

Voted Absentee: Bergsagel, Aye; Arnott, Green, H.S. Hanson, Holland, Noes.

Excused: None.
Total 0

Absent or not voting: Forbes.
Total 1

Representative Green present at this time.

SB 252 - Representative Kadas moved SB 252, second reading copy, be amended as follows (amendment #2):

1. Page 5, line 25.

Strike: " " through "ZONES"

Insert: ". In a ground water mixing zone where the smallest practicable size does not extend beyond the discharger's controlled property boundary, the mixing zone"

2. Page 5, lines 27 and 28.

Following: "BOUNDARY" on line 27

Strike: remainder of line 27 through ";" on line 28

Insert: ". "

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tropila,

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Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Bergman, Hayne, Herron, Jore, Kasten, Pavlovich, Rehbein, Tash, Taylor, Trexler.
Total 10

Excused: Arnott, Bergsagel, H.S. Hanson, Holland.
Total 4

Absent or not voting: Boharski, Murdock.
Total 2

Representative Harper moved SB 252, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McGee, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Somerville, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 37

Noes: Ahner, Anderson, Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 58

Excused: Arnott, Bergsagel, H.S. Hanson, Holland.
Total 4

Absent or not voting: McCann.
Total 1

Representative Murdock excused at this time.

Representative Knox moved SB 252, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 63

Noes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, Peck, Raney, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 34

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Voted Absentee: Bergsagel, H.S. Hanson, Holland, Murdock, Ayes.

Excused: Arnott.

Total 1

Absent or not voting: Green, Shea.

Total 2

SB 373 - Representative Grimes moved SB 373 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 94

Noes: None.

Total 0

Voted Absentee: Bergsagel, Holland, Ayes.

Excused: Arnott, H.S. Hanson, Murdock.

Total 3

Absent or not voting: Green, Simon, Mr. Speaker.

Total 3

SB 387 - Representative Story moved SB 387 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook.

Total 93

Noes: DeBruycker, Wyatt.

Total 2

Voted Absentee: Arnott, Bergsagel, Murdock, Ayes.

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Excused: H.S. Hanson, Holland.
Total 2

Absent or not voting: Green, Heavy Runner, Mr. Speaker.
Total 3

Representative Arnott present at this time.

SB 345 - Representative Cobb moved SB 345, second reading copy, be amended as follows (amendment #1):

1. Title, lines 10 through 12.
Following: "NEW DEPARTMENT" on line 10
Strike: remainder of line 10 through "CORRECTIONS" on line 12
2. Title, page 2, line 8.
Strike: "41-3-1103,"
3. Title, page 2, line 23.
Strike: "52-1-101,"
Strike: "52-1-103,"
4. Page 3, lines 21 and 34.
Strike: "568"
Insert: "565"
5. Page 3, lines 32 and 33.
Following: "2-15-2201" on line 31
Strike: remainder of line 31 through "corrections" on line 32
6. Page 4, line 2.
Strike: ":"
7. Page 4, line 3.
Strike: "(a)"
8. Page 4, lines 4 through 6.
Following: "appropriate" on line 4
Strike: remainder of line 4 through "appropriate" on line 6
9. Page 4, line 31.
Strike: "568"
Insert: "565"
10. Page 5, lines 18 and 29.
Strike: "568"
Insert: "565"
11. Page 44, line 11.

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Strike: "corrections"

Insert: "public health and human services"

12. Page 51, lines 11 and 12.

Following: "of" on line 11

Strike: remainder of line 11 through "or" on line 12

13. Page 121, line 14 through page 122, line 11.

Strike: section 184, amending 41-3-1103, MCA, in its entirety

Renumber: subsequent sections

14. Page 122, lines 14, 17, and 21.

Strike: "corrections"

Insert: "public health and human services"

15. Page 122, lines 28 and 29.

Strike: "or" on line 28 through "corrections" on line 29

Strike: "making the placement"

16. Page 122, lines 32 and 33.

Following: "services" on line 32

Strike: remainder of line 32 through "corrections" on line 33

17. Page 123, line 15.

Strike: "and the department of corrections"

18. Page 123, line 17.

Strike: "are"

Insert: "is"

19. Page 124, line 20.

Strike: "corrections"

Insert: "public health and human services"

Strike: "2-15-2301"

Insert: "2-15-2201"

20. Page 158, line 21.

Following: "services"

Insert: "or the department of public health and human services"

21. Page 178, line 30.

Following: "services"

Insert: "or the department of public health and human services"

22. Page 218, line 34 through page 219, line 9.

Strike: section 333, amending 52-1-101, MCA, in its entirety

Renumber: subsequent sections

23. Page 219, line 18 through page 220, line 34.

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Strike: section 335, amending 52-1-103, MCA, in its entirety
Renumber: subsequent sections

24. Page 223, line 32.

Following: "~~and~~"

Insert: "and"

25. Page 223, lines 33 and 34.

Following: "districts" on line 33

Strike: remainder of line 33 through "corrections" on line 34

26. Page 238, lines 5, 15, 23, and 32.

Strike: "corrections"

Insert: "public health and human services"

27. Page 239, lines 1, 6, 14, 22, 31, and 32.

Strike: "corrections"

Insert: "public health and human services"

28. Page 239, line 34.

Following: "~~services~~"

Insert: "and the department of public health and human services"

29. Page 240, lines 5, 11, and 15.

Following: "~~services~~"

Insert: "and the department of public health and human services"

30. Page 240, lines 7, 19, 31, and 33.

Strike: "corrections"

Insert: "public health and human services"

31. Page 241, lines 4, 17, and 28.

Strike: "corrections"

Insert: "public health and human services"

32. Page 242, lines 7, 14, and 25.

Strike: "corrections"

Insert: "public health and human services"

33. Page 245, line 18.

Strike: ";

34. Page 245, line 19.

Strike: "(1)"

35. Page 245, line 20.

Strike: "and youth"

Strike: "; and"

Insert: "."

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36. Page 245, lines 26 and 27.
Strike: subsection (2) in its entirety

37. Page 245, line 30.
Strike: "and youth"

38. Page 246, lines 25 through 29.
Strike: subsection (3) in its entirety
Re-number: subsequent subsection

39. Page 246, line 34.
Strike: "(1)"

40. Page 247, line 1.
Strike: "(a)"
Insert: "(1)"
Strike: "rules" through "and"
Re-number: subsequent subsections

41. Page 247, line 23.
Strike: ":"
Insert: "."

42. Page 247, line 24 through page 248, line 6.
Strike: subsections (g) through (2) in their entirety

43. Page 248, line 28.
Following: line 27
Insert: "(a) youth corrections;"
Re-number: subsequent subsections

44. Page 249, line 2.
Following: line 1
Insert: "(a) youth correctional services, consisting of the following institutional components to diagnose, care for, train, educate, and rehabilitate youth pursuant to Title 52, chapter 5:
 (i) Mountain View school;
 (ii) Pine Hills school; and
 (iii) any other institution that provides care and services for delinquent youth;"
Re-number: subsequent subsections

45. Page 352, lines 17 and 19.
Strike: "398" through "401"
Insert: "395 through 398"

Amendment #1 passed as follows:

Ayes: Ahner, Arnott, Barnhart, Bohlinger, Carey, Cobb, Curtiss, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Galvin, Grady, Hagener, Harper, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Nelson, Peck, Raney, Ream, Ryan,

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Schwinden, Shea, Simon, L. Smith, S. Smith, Soft, Somerville, Squires, Swanson, Tropila, Tuss, Wagner, Wennemar, Wyatt.

Total 51

Noes: Anderson, Barnett, Bergman, Boharski, Brainard, Clark, Cocchiarella, Denny, Devaney, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, M. Hanson, Harrington, Hayne, Jore, Knox, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simpkins, Sliter, Story, Stovall, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 45

Excused: Bergsagel, H.S. Hanson, Holland, Murdock.

Total 4

Absent or not voting: None.

Total 0

Representative Cobb moved SB 345, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, M. Hanson, Harper, Heavy Runner, Hurdle, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Orr, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 39

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Harrington, Hayne, Herron, Hibbard, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Nelson, Ohs, Pavlovich, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 57

Excused: Bergsagel, H.S. Hanson, Holland, Murdock.

Total 4

Absent or not voting: None.

Total 0

Representative Bergsagel present at this time.

Representative Grimes moved SB 345, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Fisher, Forbes, Grady, Grimes, Grinde, Hagener, M. Hanson, Hayne, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Knox, Marshall, Masolo, McCann, McGee, McKee, Murdock, Ohs, Quilici, Rose, Ryan, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 53

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Noes: Arnott, Barnhart, Bergsagel, Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fuchs, Galvin, Green, Harper, Harrington, Heavy Runner, Herron, Jore, Kadas, Kasten, Keenan, Kottel, Larson, Martinez, McCulloch, Menahan, Mills, Molnar, Nelson, Orr, Pavlovich, Peck, Raney, Ream, Rehbein, Schwinden, Shea, L. Smith, S. Smith, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 46

Voted Absentee: Holland, Murdock, Ayes.

Excused: H.S. Hanson.

Total 1

Absent or not voting: None.

Total 0

Representative Sliter assumed the Chair at this time.

SB 234 - Representative Cobb moved SB 234, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Bergsagel, Carey, Clark, Cobb, Curtiss, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fuchs, Galvin, Hagener, Harper, Harrington, Heavy Runner, J. Johnson, Kadas, Kottel, Larson, Martinez, McCann, McCulloch, Molnar, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, L. Smith, Squires, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 43

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Cocchiarella, Denny, Devaney, Fisher, Forbes, Grady, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Kasten, Keenan, Knox, Marshall, Masolo, McGee, McKee, Menahan, Mills, Ohs, Rose, Simon, Simpkins, Sliter, S. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 48

Excused: H.S. Hanson, Holland, Murdock.

Total 3

Absent or not voting: Ellis, Green, Hurdle, Jore, Kitzenberg, Somerville.

Total 6

Representative Cobb moved SB 234, second reading copy, be amended as follows (amendment #2):

1. Title, lines 10 and 11.

Following: "ELIMINATING THE" on line 10

Strike: remainder of line 10 through "CONSERVATION AND" on line 11

Insert: "DEPARTMENT OF"

2. Title, line 12.

Strike: "CREATING" through ";

3. Title, line 16.

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Strike: "2-15-2107,"

4. Title, line 17.

Strike: "2-15-3301,"

Strike: "3-7-103, 3-7-223,"

5. Title, line 19.

Strike: "15-6-205,"

6. Title, line 20.

Strike: "17-5-202,"

7. Title, line 23.

Strike: "37-43-102,"

8. Title, line 34.

Strike: "75-5-1102,"

9. Title, page 2, line 1.

Strike: "75-5-1111," through "75-5-1121,

Strike: "75-7-209,"

10. Page 2, line 10.

Strike: "76-14-103,"

11. Page 2, line 16.

Strike: "80-7-720,"

12. Page 2, line 24.

Strike: "82-11-101,"

13. Page 2, line 25.

Strike: "85-1-101,"

14. Page 2, line 32.

Strike: "85-5-101, 85-5-105, 85-5-111,"

15. Page 2, line 33.

Strike: "85-7-103, 85-7-1910, 85-9-103,"

Strike: "85-9-611, 85-15-106, 85-20-103,"

16. Page 2, line 34.

Strike: "90-2-1103,"

17. Page 5, lines 2 and 23.

Page 6, line 8.

Page 8, line 19.

Page 16, lines 6 and 9.

Page 20, line 18.

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Page 21, line 4.
Page 42, line 8.
Page 112, lines 29 and 34.
Page 131, line 18.
Page 133, line 26.
Page 134, line 33.
Page 147, line 21.
Page 148, line 18.
Page 158, line 2.
Page 171, line 13.
Page 175, lines 5 and 32.
Page 183, lines 10 and 28.
Page 185, line 17.
Page 186, line 3.
Page 187, line 9.
Page 188, line 2.
Page 189, line 6.
Page 200, line 28.
Page 204, line 30.
Page 209, line 30.
Page 210, line 23.
Page 212, line 4.
Page 287, line 19.
Page 312, line 32.
Page 314, line 14.
Page 338, line 31.
Page 343, line 27.
Page 344, line 24.
Page 350, lines 6, 14, 16, and 18.
Page 353, lines 1 and 5.
Page 361, line 19.

Strike: "resource management"

Insert: "resources and conservation"

18. Page 8, lines 11 and 12.

Following: "natural" on line 11

Strike: remainder of line 11 through "management" on line 12

Insert: "resources and conservation"

19. Page 11, lines 11 through 29.

Strike: section 14 in its entirety

Renumber: subsequent sections

20. Page 14, lines 24 through 27.

Strike: section 19 in its entirety

Renumber: subsequent sections

21. Page 15, line 26.

Page 16, line 1.

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Page 119, line 5.

Page 125, lines 1, 28, and 34.

Strike: "RESOURCE MANAGEMENT"

Insert: "resources and conservation"

22. Page 18, line 21 through page 19, line 5.

Strike: sections 24 and 25 in their entirety

Renumber: subsequent sections

23. Page 21, line 27.

Page 49, line 21.

Page 117, line 12.

Page 121, line 30.

Page 132, line 31.

Page 134, line 2.

Page 135, line 14.

Page 138, line 2.

Page 146, line 3.

Page 148, line 30.

Page 150, line 15.

Page 154, line 4.

Page 216, line 13.

Page 230, line 24.

Page 234, line 21.

Page 258, line 28.

Page 274, line 32.

Strike: "23"

Insert: "21"

24. Page 23, lines 21 and 22.

Following: "~~conservation~~" on line 21

Strike: remainder of line 21 through "management" on line 22

Insert: "resources and conservation"

25. Page 30, lines 16 through 24.

Strike: section 45 in its entirety

Renumber: subsequent sections

26. Page 38, line 26 through page 39, line 4.

Strike: section 52 in its entirety

Renumber: subsequent sections

27. Page 43, lines 1 and 2.

Following: "~~conservation~~" on line 1

Strike: remainder of line 1 through "management" on line 2

Insert: "resources and conservation"

28. Page 49, line 23.

Page 50, line 2.

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Page 117, line 20.
Page 122, line 4.
Page 133, line 2.
Page 134, line 4.
Page 135, line 16.
Page 138, line 7.
Page 139, line 34.
Page 143, line 16.
Page 145, line 18.
Page 146, line 13.
Page 148, line 32.
Page 149, line 10.
Page 150, line 19.
Page 151, line 27.
Page 154, line 21.
Page 230, line 26.
Page 235, line 8.
Page 258, line 33.
Page 275, line 1.
Page 356, lines 4 and 17.

Strike: "22"

Insert: "20"

29. Page 50, line 20 through page 51, line 15.

Strike: section 78 in its entirety

Renumber: subsequent sections

30. Page 124, lines 10 through 31.

Strike: section 193 in its entirety

Renumber: subsequent sections

31. Page 126, line 4 through page 130, line 4.

Strike: sections 196 through 199 in their entirety

Renumber: subsequent sections

32. Page 131, lines 24 through 28.

Strike: section 202 in its entirety

Renumber: subsequent sections

33. Page 161, lines 8 and 9.

Following: "natural" on line 8

Strike: remainder of line 8 through "management" on line 9

Insert: "resources and conservation"

34. Page 165, lines 29 and 30.

Following: "natural" on line 29

Strike: remainder of line 29 through "management" on line 30

Insert: "resources and conservation"

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35. Page 182, lines 25 and 26.

Following: "natural" on line 25

Strike: remainder of line 25 through "management" on line 26

Insert: "resources and conservation"

36. Page 182, lines 33 and 34.

Following: "natural" on line 33

Strike: remainder of line 33 through "management" on line 34

Insert: "resources and conservation"

37. Page 188, lines 9 through 33.

Strike: section 282 in its entirety

Renumber: subsequent sections

38. Page 211, lines 15 through 20.

Strike: section 342 in its entirety

Renumber: subsequent sections

39. Page 283, line 23 through page 286, line 27.

Strike: sections 430 and 431 in their entirety

Renumber: subsequent sections

40. Page 341, line 33 through page 343, line 23.

Strike: sections 495 through 497 in their entirety

Renumber: subsequent sections

41. Page 344, line 31 through page 347, line 8.

Strike: sections 500 through 502 in their entirety

Renumber: subsequent sections

42. Page 348, line 13 through page 350, line 2.

Strike: sections 506 through 508 in their entirety

Renumber: subsequent sections

43. Page 353, line 31 through page 354, line 21.

Strike: section 517 in its entirety

Renumber: subsequent sections

44. Page 361, lines 4 and 5.

Following: "NATURAL" on line 4

Strike: remainder of line 4 through "MANAGEMENT" on line 5

Insert: "resources and conservation"

45. Page 361, line 32.

Strike: "resource management"

Insert: "resources and conservation"

46. Page 362, lines 3 and 5.

Strike: "22 AND 23"

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Insert: "20 and 21"

Amendment #2 passed as follows:

Ayes: Arnott, Barnhart, Bergsagel, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fisher, Fuchs, Galvin, Hagener, Harper, Harrington, Heavy Runner, Herron, Hurdle, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, McGee, Menahan, Molnar, Nelson, Orr, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Shea, Simon, Soft, Squires, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wiseman, Wyatt.

Total 51

Noes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Curtiss, Denny, Devaney, Ellis, Feland, Forbes, Grady, Grimes, Grinde, M. Hanson, Hayne, Hibbard, J. Johnson, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McKee, Mills, Ohs, Quilici, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Story, Stovall, Tash, Wells, Zook, Mr. Speaker.

Total 44

Excused: H.S. Hanson, Holland, Murdock.

Total 3

Absent or not voting: Green, Somerville.

Total 2

Representative Somerville resumed the Chair at this time.

Representative Denny moved SB 234, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Murdock, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Arnott, Bergsagel, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Galvin, Harper, Harrington, Jore, Kadas, Kottel, Larson, McCulloch, Menahan, Molnar, Nelson, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 30

Voted Absentee: Murdock, Aye.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: None.

Total 0

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SB 249 - Representative Rehbein moved SB 249 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 62

Noes: Bergman, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Taylor, Tropila, Tuss, Wennemar, Wyatt.
Total 38

Voted Absentee: H.S. Hanson, Holland, Murdock, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 76 - Representative Herron moved SB 76 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 81

Noes: Arnott, Bergman, Bergsagel, DeBruycker, Devaney, Feland, Fisher, Harper, Jore, Kasten, Marshall, Rehbein, S. Smith, Trexler, Vick, Wagner.
Total 16

Voted Absentee: Murdock, Aye.

Excused: H.S. Hanson, Holland.
Total 2

Absent or not voting: R. Johnson.
Total 1

SB 200 - Representative Ohs moved SB 200, second reading copy, be amended as follows (amendment #1):

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1. Page 15, line 7.

Following: "IN SUBSECTION (9)"

Strike: "(A) OR (9)(B)"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: L. Smith.

Total 1

Excused: H.S. Hanson, Holland, Murdock.

Total 3

Absent or not voting: Arnott, Fisher, Vick, Wiseman.

Total 4

Representative Shea moved SB 200, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, Hayne, Masolo, Murdock, Trexler, Wagner.

Total 6

Voted Absentee: Murdock, No.

Excused: H.S. Hanson, Holland.

Total 2

Absent or not voting: Devaney, Story.

Total 2

Representative Murdock present at this time.

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Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Somerville moved that the Committee of the Whole report be adopted. Report adopted. (71-26)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/27/95
Signed by the Speaker at 12:38 p.m., 3/27/95: HB 357, HB 414, HB 434, HB 534, HB 570, HB 572.

AGRICULTURE, LIVESTOCK & IRRIGATION (Barnett, Chairman): 3/27/95
SB 144, be amended as follows:

1. Page 4.

Following: Line 1

Insert: "(d) prepare and submit a report concerning the relationship between surface water and ground water and the cumulative impacts of ground water withdrawals in each subbasin;"

Renumber: subsequent subsections

2. Page 8, line 18.

Following: "(1)"

Insert: "(a)"

Strike: "The"

Insert: "In the Upper Clark Fork River basin, as defined in 85-2-335, the"

3. Page 8, line 21.

Strike: line 21 in its entirety

Insert: "(b) If a final decision of the department on an application for a change approval in the Upper Clark Fork River basin is appealed to a district court, the district court shall award the prevailing party reasonable attorney fees."

4. Page 8, line 22.

Strike: "or change approval"

5. Page 21.

Following: line 10

Insert: "NEW SECTION. Section 16. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES & AGING (Grimes, Chairman): 3/24/95
SB 339, be amended as follows:

1. Page 3, line 13.

Following: "THROUGH"

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Strike: "AN"

Insert: "a program that complies with the standards for a partial hospitalization program that are published by the"

2. Page 3, line 14.

Following: "ASSOCIATION"

Insert: "if the"

Following: "PROGRAM"

Insert: "is"

3. Page 4, line 9.

Following: "THROUGH"

Strike: "AN"

Insert: "a program that complies with the standards for a partial hospitalization program that are published by the"

4. Page 4, line 10.

Following: "ASSOCIATION"

Insert: "if the"

Following: "PROGRAM"

Insert: "is"

And, as amended, be concurred in. Report adopted.

MOTIONS

HB 593 - Representative McCann moved he be allowed to change his vote on HB 593, second reading, from aye to nay. Motion carried.

Representative McCann moved he be allowed to change his vote on HB 593, third reading, from aye to nay. Motion carried.

HB 591 - Representative McCann moved he be allowed to change his vote on HB 591, third reading, from not voting to aye. Motion carried.

SB 90 - Representative Ahner moved she be allowed to change her vote on SB 90, second reading, from nay to aye. Motion carried.

Representatives L. Smith and Bergsagel moved that they be allowed to cast their votes on third reading for this legislative day. Motion carried.

SB 354 - Representative Kitzenberg moved he be allowed to change his vote on SB 354, third reading, from nay to aye. Motion carried.

SB 307 - Representative Keenan moved he be allowed to change his vote on SB 307, third reading, from nay to aye. Motion carried.

SB 27 - Representative Squires moved she be allowed to change her vote on SB 27, second reading, from not voting to aye. Motion carried.

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SB 124 - Representative Squires moved she be allowed to change her vote on SB 124, second reading, from not voting to aye. Motion carried.

SB 354 - Representative Sliter moved he be allowed to change his vote on SB 354, third reading, from nay to aye. Motion carried.

SB 187 - Representative R. Johnson moved the House reconsider its action on SB 187 taken on second reading the previous legislative day. Motion failed. (46-53)

HB 580 - Representative Wyatt moved HB 580 be taken from the table in the Committee on Business & Labor, printed, and placed on second reading this legislative day. Motion failed. (39-57)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Tuesday, March 28, 1995. Motion carried.

House adjourned at 7:00 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 28, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Dick Knox. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Bergsagel, Hibbard, Holland, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

3/28/95

Correctly engrossed for third reading: HB 363, HB 604.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/27/95

HB 202, introduced by T. Nelson
HB 233, introduced by Knox
HB 246, introduced by Quilici
HB 249, introduced by Marshall
HB 289, introduced by Soft
HB 304, introduced by Fisher
HB 323, introduced by Ryan
HB 332, introduced by Clark
HB 387, introduced by Boharski
HB 409, introduced by Barnett
HB 415, introduced by Forbes
HB 417, introduced by Mills
HB 425, introduced by Keenan
HB 442, introduced by S. Smith
HB 472, introduced by Knox
HB 542, introduced by Tash
HB 557, introduced by Ellingson
HB 560, introduced by Simon
HB 563, introduced by Sliter
HJR 20, introduced by Masolo
HJR 23, introduced by Clark
HJR 26, introduced by Curtiss

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/27/95

HB 160, introduced by Curtiss
HB 167, introduced by Shea
HB 272, introduced by Stovall
HB 315, introduced by Harrington
HB 340, introduced by T. Nelson
HB 351, introduced by Peck

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HB 352, introduced by Peck
HB 393, introduced by Grady
HB 444, introduced by Harper
HB 478, introduced by Story
HB 504, introduced by Cobb
HB 530, introduced by Wiseman
HB 537, introduced by Larson
HB 539, introduced by Soft
HB 543, introduced by Wagner
HB 547, introduced by Clark

Senate bills passed and transmitted to the House for concurrence:

3/27/95

SB 97, introduced by Foster
SB 257, introduced by Gage
SB 260, introduced by Pipinich
SB 382, introduced by Harp
SB 414, introduced by Brown
SB 417, introduced by Brown
SB 418, introduced by Gage
SB 419, introduced by Gage
SJR 19, introduced by Sprague
SJR 20, introduced by Mesaros

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 270 sponsored by Representatives McCulloch et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

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Please be informed that I have signed House Bill 320 sponsored by Representatives Galvin et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 355 sponsored by Representatives Rehbein et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 424 sponsored by Representative Keenan on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 436 sponsored by Representative Kottel on March 27, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 475 sponsored by Representatives Forbes et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 551 sponsored by Representative Clark on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 553 sponsored by Representatives Grady et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

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**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time, and referred to committees:

SB 97, introduced by Foster, referred to Committee on Taxation.
SB 257, introduced by Gage, referred to Committee on Taxation.
SB 260, introduced by Pipinich, referred to Committee on Taxation.
SB 382, introduced by Harp, referred to Committee on Natural Resources.
SB 414, introduced by Brown, referred to Committee on Taxation.
SB 417, introduced by Keating, referred to Committee on Taxation.
SB 418, introduced by Gage, referred to Committee on Taxation.
SB 419, introduced by Gage, referred to Committee on Taxation.
SJR 19, introduced by Sprague, referred to Committee on Appropriations.
SJR 20, introduced by Mesaros, referred to Committee on Fish & Game.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 144 - Representative Larson moved SB 144 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Murdock.

Total 1

Voted Absentee: Bergsagel, Hibbard, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: Wagner.

Total 1

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SB 244 - Representative Grimes moved SB 244 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Bergsagel, Hibbard, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: Grinde, Larson, Molnar, Wagner.

Total 4

SB 389 - Representative Rose moved SB 389 be concurred in.

Representative Story moved consideration of SB 389 be placed below SB 288 on the second reading board. Motion carried.

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved that the Committee of the Whole report be adopted. Report adopted. (93-0)

Representative Grinde moved the House recess until 9:00 a.m. Motion carried.

House recessed at 8:20 a.m.

House reconvened at 9:05 a.m. Mr. Speaker in the Chair.

Representative Bergsagel present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 331 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker,

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Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Arnott, Barnhart, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Peck, Raney, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 35

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Green.

Total 1

SB 330 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 58

Noes: Arnott, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 39

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady, Green.

Total 2

SB 346 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard,

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Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 85

Noes: Ellingson, Galvin, Harper, Kottel, Marshall, Raney, Ream, Swanson, Wennemar, Wyatt.

Total 10

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady, Green, L. Smith, Tuss.

Total 4

SB 316 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Herron, Kasten, Keenan, Kitzenberg, Murdock, Pavlovich, Quilici, Rehbein, Tropila, Wennemar.

Total 10

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Denny, Fuchs, Grady, Green, Tuss.

Total 5

SB 278 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Trexler, Tropila, Tuss,

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Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady, McGee, Story, Swanson.

Total 4

SB 415 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Devaney, Grady, Harrington.

Total 3

SB 27 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

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Noes: Feland.

Total 1

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SJR 11 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grimes, Grinde, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Bergman, DeBruycker, Feland, Green, H.S. Hanson, M. Hanson, Jore, Kasten, McGee, Molnar, Rehbein, Story, Vick, Wagner.

Total 14

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Brainard, Grady, S. Smith, Taylor.

Total 4

SB 229 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Hibbard, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Ellingson, Ewer, Harper, Herron, Hurdle, Jore, Kadas, Keenan, Marshall, Raney, Ream, Wennemar.

Total 12

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Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 158 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

HB 363 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grimes, Grinde, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Ohs, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Zook, Mr. Speaker.

Total 68

Noes: Bergman, Brainard, Curtiss, DeBruycker, Denny, Feland, Forbes, Fuchs, Hagener, M. Hanson, Hayne, Kasten, Martinez, Masolo, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Schwinden, L. Smith, S. Smith, Taylor, Wagner, Wiseman, Wyatt.

Total 27

Voted Absentee: Hibbard, Aye.

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Excused: Holland.

Total 1

Absent or not voting: Grady, Green, Mills, Story.

Total 4

HB 604 passed as follows:

Ayes: Anderson, Arnott, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Herron, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Mills, Molnar, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 55

Noes: Ahner, Barnett, Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, L. Smith, Somerville, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 41

Voted Absentee: Hibbard, No.

Excused: Holland.

Total 1

Absent or not voting: Devaney, Grady, Murdock.

Total 3

SB 271 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 97

Noes: Wyatt.

Total 1

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

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Absent or not voting: Grady.

Total 1

SB 124 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, J. Johnson, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, Ewer, Harper, Hurdle, Kadas, Keenan, Raney, L. Smith, Tuss, Wennemar, Wyatt.

Total 11

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 90 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Barnhart, Carey, Ellingson, Ewer, Galvin, Hagener, Heavy Runner, Hurdle, Schwinden, Tuss.

Total 10

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

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SB 13 concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Hagener, Herron, Murdock.

Total 3

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Anderson, Grady.

Total 2

SB 362 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 39

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 231 concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 75

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCulloch, Peck, Raney, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 23

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 189 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, DeBruycker, Feland, M. Hanson, Jore, Kasten, Martinez, McGee, Rehbein, S. Smith, Taylor, Trexler.

Total 12

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 373 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle,

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Total 88

Noes: Barnhart, Ellingson, Hagener, Harper, Kadas, Peck, Raney, Ream, Wennemar, Wyatt.

Total 10

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 387 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 92

Noes: DeBruycker, Heavy Runner, Peck, Raney, Wennemar, Wyatt.

Total 6

Voted Absentee: Hibbard, Aye.

Excused: Holland.

Total 1

Absent or not voting: Grady.

Total 1

SB 249 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story,

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Stovall, Tash, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 59

Noes: Bergman, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Taylor, Tropila, Tuss, Wennemar, Wyatt.
Total 39

Voted Absentee: Hibbard, No.

Excused: Holland.
Total 1

Absent or not voting: Grady.
Total 1

SB 76 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 81

Noes: Arnott, Bergman, Bergsagel, DeBruycker, Feland, Fisher, Harper, Jore, Kasten, Keenan, Rehbein, S. Smith, Trexler, Vick, Wagner, Zook.
Total 16

Voted Absentee: Hibbard, Aye.

Excused: Holland.
Total 1

Absent or not voting: Grady, Molnar.
Total 2

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Simon in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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SB 389 - Representative Grinde moved consideration of SB 389 be placed at the top of the second reading board.
Motion carried.

Representative Story moved SB 389, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.

Following: "SECTIONS"

Insert: "81-1-102,"

2. Page 2, line 13.

Insert: "Section 3. Section 81-1-102, MCA, is amended to read:

"81-1-102. Duties and powers of department -- fees based on costs. (1) The department shall exercise general supervision over and, so far as possible, protect the livestock interests of the state from theft and disease and recommend legislation which, in the judgment of the department, fosters this industry. The department may compel the attendance of witnesses, employ counsel to assist in the prosecution of violations of laws made for the protection of the livestock interests, and assist in the prosecution of persons charged with illegal branding or theft of livestock or any other crime under the laws of this state for the protection of stock owners. It may adopt rules governing the recording and use of livestock brands.

(2) The department shall by rule establish all fees that it is authorized to charge, commensurate with costs as provided in 37-1-134.

(3) The department shall perform the duties assigned to the department relating to the administration and regulation of game farms as described in Title 87, chapter 4, part 4."

Renummer: subsequent sections

4. Page 10, lines 10 and 12.

Strike: "12"

Insert: "13"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook.

Total 86

Noes: Cocchiarella, Hagener, Larson, Pavlovich, Wyatt.

Total 5

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Brainard, Forbes, Grinde, McGee, Mills, Quilici, Mr. Speaker.

Total 7

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Representative Rose moved SB 389, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Hibbard, Holland, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnhart, Shea, Squires.

Total 3

SB 292 - Representative McGee moved SB 292 be concurred in.

Representative McGee moved SB 292, second reading copy, be amended as follows (amendment #1):

1. Page 5, line 22.

Following: "."

Insert: "The department shall design the reporting process to ensure that confidentiality regarding the physician or the physician's agent is maintained in the department records."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Pavlovich, Tuss.

Total 2

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Excused: Hibbard, Holland.

Total 2

Absent or not voting: Forbes, Galvin, Herron, Molnar, Ohs.

Total 5

Representative McCulloch moved SB 292, second reading copy, be further amended as follows (amendment #2):

1. Page 2, line 28.

Following: "printed"

Insert: ", unbiased"

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Feland, Hayne, Jore, Martinez, Rehbein.

Total 5

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Bergman, Fuchs, Galvin, Grady, Herron, Ohs.

Total 6

Representative McCulloch moved SB 292, second reading copy, be further amended as follows (amendment #3):

1. Page 3, line 23.

Following: "abortion,"

Insert: "the possible detrimental psychological effects of adoption,"

Amendment #3 passed as follows:

Ayes: Anderson, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Grimes, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Squires, Stovall, Swanson, Trexler, Tropila, Tuss, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 55

Noes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, DeBruycker, Denny, Devaney,

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Forbes, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Knox, Martinez, McGee, Mills, Molnar, Murdock, Orr, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Tash, Taylor, Vick, Wells.

Total 39

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Galvin, Grady, Marshall, Ohs.

Total 4

Representative Cobb moved SB 292, second reading copy, be further amended as follows (amendment #4):

1. Page 6, lines 28 through 30.

Strike: section 9 in its entirety

Renumber: subsequent sections

2. Page 9, lines 28 and 29.

Strike: "11"

Insert: "10"

Amendment #4 passed as follows:

Ayes: Anderson, Arnott, Barnhart, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Hagener, Harper, Harrington, Hayne, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, Masolo, McCulloch, McKee, Menahan, Murdock, Nelson, Raney, Ream, Rehbein, Schwinden, Shea, Simon, Sliter, L. Smith, Somerville, Squires, Story, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wiseman.

Total 51

Noes: Ahner, Barnett, Bergman, Brainard, Clark, Curtiss, Devaney, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Herron, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, McCann, McGee, Molnar, Orr, Pavlovich, Peck, Quilici, Rose, Simpkins, Soft, Stovall, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 38

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Bergsagel, Galvin, Grady, Mills, Ohs, Ryan, S. Smith, Tash, Wyatt.

Total 9

Representative Cobb moved SB 292, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows:

Ayes: Anderson, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, McCulloch, McKee, Menahan, Murdock, Nelson, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Somerville, Squires, Swanson, Tropila, Tuss, Wennemar, Wiseman.

Total 47

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Noes: Ahner, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Jore, Kasten, Keenan, Knox, Martinez, Masolo, McCann, McGee, Mills, Molnar, Ohs, Orr, Peck, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wyatt, Zook, Mr. Speaker.
Total 49

Voted Absentee: Holland, No.

Excused: Hibbard.
Total 1

Absent or not voting: Bergsagel, Galvin, Grady.
Total 3

Representative Ewer moved SB 292, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 38

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 58

Voted Absentee: Holland, No.

Excused: Hibbard.
Total 1

Absent or not voting: Galvin, Grady, McCann.
Total 3

Representative Ewer moved SB 292, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows:

Ayes: Barnhart, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Raney, Ream, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Squires, Swanson, Taylor, Trexler, Tuss, Wennemar, Wyatt.
Total 38

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron,

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Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 58

Voted Absentee: Holland, No.

Excused: Hibbard.

Total 1

Absent or not voting: Galvin, Grady, Murdock.

Total 3

Representative Kottel moved SB 292, second reading copy, be further amended as follows (amendment #8):

1. Page 6, lines 28 and 29.

Strike: "of intervention" on line 28 through "Procedure, a" on line 29

Insert: "to file amicus curiae brief. A"

Following: "right to"

Strike: "intervene"

Insert: "file an amicus curiae brief in the lower court and in any appeal"

Amendment #8 passed as follows:

Ayes: Anderson, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCulloch, McKee, Menahan, Ohs, Pavlovich, Peck, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Somerville, Squires, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 49

Noes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kasten, Knox, Marshall, Martinez, McCann, McGee, Mills, Molnar, Murdock, Nelson, Orr, Quilici, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Vick, Wagner, Wells, Wiseman, Zook.

Total 46

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Grady, Keenan, Mr. Speaker.

Total 3

Representative Kottel moved SB 292, second reading copy, be further amended as follows (amendment #9):

1. Page 5, line 30.

Strike: ":"

2. Page 6, line 1.

Strike: "(a)"

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Following: "performed"

Strike: " ; "

Insert: "or, if the woman is under 18 years of age or is physically or mentally incapacitated for purposes of being able to decide whether to bring and pursue an action, then, on the woman's behalf, by either:

3. Page 6, line 2.

Strike: "(b)"

Insert: "(a)"

4. Page 6, line 3.

Strike: "(c)"

Insert: "(b)"

Amendment #9 passed as follows:

Ayes: Anderson, Barnett, Barnhart, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Green, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Ahner, Arnott, Bergman, Bergsagel, Boharski, Clark, Forbes, Grimes, H.S. Hanson, Hayne, Herron, Kasten, Knox, Martinez, McCann, Murdock, Peck, S. Smith.

Total 18

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Galvin, Grady, Keenan, Vick.

Total 4

Representative Kottel moved SB 292, second reading copy, be further amended (amendment #10). Amendment #10 failed as follows:

Ayes: Anderson, Barnhart, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, McKee, Pavlovich, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Squires, Swanson, Wennemar, Wyatt.

Total 37

Noes: Ahner, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wiseman, Zook, Mr. Speaker.

Total 55

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Excused: Hibbard, Holland.

Total 2

Absent or not voting: Bergsagel, DeBruycker, Galvin, Grady, Tuss, Wells.

Total 6

Representative Kottel moved SB 292, second reading copy, be further amended (amendment #11). Amendment #11 failed as follows:

Ayes: Anderson, Barnhart, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Squires, Swanson, Trexler, Tuss, Wennemar, Wyatt.

Total 40

Noes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Devaney, Ellis, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 55

Excused: Hibbard, Holland.

Total 2

Absent or not voting: Denny, Galvin, Grady.

Total 3

Representative Cocchiarella moved SB 292, second reading copy, be further amended (amendment #12). Amendment #12 failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Fuchs, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Sliter, Somerville, Squires, Swanson, Tuss, Wennemar, Wyatt.

Total 37

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Rehbein, Rose, Simpkins, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Voted Absentee: Holland, No.

Excused: Hibbard.

Total 1

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Absent or not voting: Bergsagel, Galvin, Grady.

Total 3

Representative McGee moved SB 292, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, Ellis, Forbes, Fuchs, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 56

Noes: Anderson, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Grinde, Hagener, Harper, Harrington, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Raney, Ream, Ryan, Schwinden, Shea, Simon, Sliter, Squires, Swanson, Taylor, Tuss, Wennemar, Wyatt.

Total 42

Voted Absentee: Holland, Aye; Hibbard, No.

Excused: None.

Total 0

Absent or not voting: Galvin, Grady.

Total 2

Representative Grinde assumed the Chair at this time.

Representative Holland present at this time.

SB 386 - Representative Orr moved SB 386 be concurred in.

Representative Orr moved consideration of SB 386 be placed below SB 324 on the second reading board. Motion carried.

SB 349 - Representative Grimes moved SB 349 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

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Noes: Curtiss, DeBruycker, Denny, Feland, Fuchs, Harrington, Hurdle, Kasten, Kottel, Orr, Rehbein, Shea, S. Smith.

Total 13

Excused: Hibbard.

Total 1

Absent or not voting: Jore, Tuss.

Total 2

Representative Simon resumed the Chair at this time.

SB 288 - Representative Curtiss moved SB 288 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Fisher, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 54

Noes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Wennemar, Wyatt.

Total 43

Voted Absentee: Hibbard, No.

Excused: None.

Total 0

Absent or not voting: Feland, Tuss, Vick.

Total 3

SB 398 - Representative Grinde moved SB 398, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON RULES COMMITTEE REPORT DATED MARCH 21, 1995, AS FOLLOWS:

Amendment No. 2

1. NEW SECTION. Section 3.

Subsection (2)(b).

Following: "identified;" at the end of subsection (2)(b)

Strike: "and"

Insert: "(c) provide separate identification for appropriations and expenditures for the legislature and for each of the consolidated entities;

(d) establish procedures for approval of expenditures by the legislature and by each of the consolidated

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entities; and"

Renumber: subsequent subsection

Subsection (2)(c).

Strike: "nonadministrative"

Strike: "The legislative services division shall initially hire administrative support personnel on behalf of a consolidated entity of the legislative branch."

2. Section 12, amending 2-18-103, MCA.

Subsection (1).

Following: "~~legislative branch~~;"

Insert: "(c) employees of the office of consumer counsel;"

Renumber: subsequent subsections

Subsection (2), introductory paragraph.

Following: "an entity of the legislative branch"

Insert: ", other than the office of consumer counsel,"

Following: "entities of the legislative branch"

Insert: ", other than the office of consumer counsel"

3. Section 13, amending 2-18-201, MCA.

Following: "employees of the legislative branch"

Insert: ", other than those of the office of consumer counsel"

4. Section 20, amending 5-11-105, MCA.

Subsection (1)(b).

Following: "branch employees"

Insert: ", other than those of the office of consumer counsel"

Subsection (1)(c).

Following: "branch employees"

Insert: ", other than those of the office of consumer counsel"

5. Section 24, amending 5-11-112, MCA.

Subsection (1)(f)(i).

Strike: "legislative branch"

Subsection (1)(f)(ii).

Strike: "branch"

Subsection (1)(g)(i).

Following: "(i)"

Insert: "legislative"

Subsection (2).

Following: "operation of the"

Insert: "legislative"

6. Section 67, amending 18-1-118, MCA.

Strike: "chapters 12 and"

Insert: "chapter"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey,

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Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Cocchiarella, Elliott, Schwinden, Tropila, Wennemar.

Total 5

Excused: Hibbard.

Total 1

Absent or not voting: Jore, Kadas, McGee, Swanson, Tash, Tuss.

Total 6

Representative Cobb moved SB 398, second reading copy, be further amended as follows (amendment #2):

THE HOUSE STANDING COMMITTEE ON RULES REPORT DATED MARCH 21, 1995, IS AMENDED AS FOLLOWS:

1. Amendment No. 2, page 23, section 44, amending section 5-13-202, MCA, is amended as follows:

"Section 44. Section 5-13-202, MCA, is amended to read:

"5-13-202. Appointment and term of members -- officers -- vacancies. (1) The legislative audit committee consists of ~~four~~ six members of the senate and ~~four~~ six members of the house of representatives appointed before the ~~60th legislative day end~~ of each regular session in the same manner as standing committees of the respective houses are appointed. No more than ~~two~~ three of the appointees of each house may be members of the same political party.

(2) A member of the committee shall serve until ~~his~~ the member's term of office as a legislator ends or until ~~his~~ a successor is appointed, whichever occurs first.

(3) The committee shall elect one of its members as ~~chairman~~ presiding officer and ~~such~~ other officers as it considers necessary.

(4) A vacancy on the committee occurring when the legislature is not in session shall be filled by the selection of a member of the legislature by the remaining members of the committee. If there is a vacancy on the committee at the beginning of a legislative session because a member's term of office as a legislator has ended, a member of the same political party must be appointed in the same manner as the original appointment, no later than the 10th legislative day, to serve until a successor is appointed under subsection (1)."

Amendment #2 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins,

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Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Fuchs.
Total 1

Excused: Hibbard.
Total 1

Absent or not voting: Fisher, Jore, Molnar, Tuss.
Total 4

Representative Kadas moved SB 398, second reading copy, be further amended as follows (amendment #3):

AMEND HOUSE COMMITTEE ON RULES COMMITTEE REPORT DATED MARCH 21, 1995, AS FOLLOWS:

Amendment No. 1

1. In the insert.
Strike: "17-7-123,"
Insert: "17-7-122,"

Amendment No. 2

1. Section 41, amending 5-12-302.
Subsection (3).

Strike: ", and" through "17-7-123,"

Insert: "; (4) following receipt of the information required in 17-7-122 from the governor and in 17-7-123 from the budget director in a mutually prescribed format, publish the governor's budget and incorporate the information required by 17-7-123 in a combined governor's budget and legislative fiscal analyst's budget analysis report provided to the legislature in a format mutually agreed upon between the budget office and the legislative fiscal analyst. The combined budget and budget analysis report must be made available to the legislature in a loose-leaf format not later than 1 week prior to the convening date set for a regular session of the legislature. The cost of printing the combined budget and budget analysis report must be shared proportionally by the office of budget and program planning and the office of the legislative fiscal analyst."

Renumber: subsequent subsections

2. Section 64, amending 17-7-123.

Strike: section 64 in its entirety

Insert: "Section 64. Section 17-7-122, MCA, is amended to read:

"17-7-122. Submission Preparation of budget to legislature. (1) The governor shall, following the receipt of the preliminary budget from the budget director, have prepared a budget for the ensuing biennium and shall submit the budget to each member of the legislature at the time of the convening of the legislature the legislative fiscal analyst in accordance with 5-12-303 for inclusion in the combined governor's budget and budget analysis report.

(2) Legislative branch requests budget proposals must be included in the budget submitted by the governor without changes.

(3) Judicial branch requests budget proposals must be included in the budget submitted by the governor, but expenditures above the current base budget need not be part of the balanced financial plan pursuant to

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17-7-123.""

Amendment #3 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Excused: Hibbard.

Total 1

Absent or not voting: Bergsagel, Ellis, H.S. Hanson, Jore.

Total 4

Representative Bergsagel moved SB 398, second reading copy, be further amended as follows (amendment #4):

AMEND HOUSE COMMITTEE ON RULES COMMITTEE REPORT DATED MARCH 21, 1995, AS FOLLOWS:

Amendment No. 2

Section 65, amending 17-7-402.

Subsection (1)(a).

Strike: "to spend" through "that matter"

Amendment #4 passed as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 92

Noes: None.

Total 0

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Excused: Hibbard.
Total 1

Absent or not voting: Anderson, Boharski, H.S. Hanson, Keenan, Schwinden, S. Smith, Mr. Speaker.
Total 7

Representative Grinde moved SB 398, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 67

Noes: Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, Murdock, Nelson, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar, Wyatt.
Total 33

Voted Absentee: Hibbard, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 148 - Representative Simpkins moved SB 148 be concurred in.

Representative Somerville assumed the Chair at this time.

Representative Simpkins moved SB 148, second reading copy, be amended as follows (amendment #1):

1. Title, line 5.

Following: the first "TO"

Insert: "ARTICLE IV, SECTION 7, AND"

2. Title, line 6.

Strike: "INITIATIVE PETITIONS FOR"

Strike: "NOT"

Following: "CHALLENGED"

Insert: "ONLY ON CONSTITUTIONAL GROUNDS"

3. Page 1, line 10.

Insert: "Section 1. Article IV, section 7, of The Constitution of the State of Montana is amended to read:

"Section 7. Ballot issues -- challenges -- elections. (1) An initiative or referendum that qualifies for the

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ballot under Article III or Article XIV shall be submitted to the qualified electors as provided in the Article under which the initiative or referendum qualified unless a new election is held pursuant to this section.

(2) A preelection challenge to the procedure by which an initiative or referendum qualified for the ballot or a postelection challenge to the manner in which the election was conducted shall be given priority by the courts.

(3) ~~If Subject to Article XIV, section 9, if~~ the election on an initiative or referendum properly qualifying for the ballot is declared invalid because the election was improperly conducted, ~~the secretary of state shall submit the issue shall be submitted~~ to the qualified electors at the next regularly scheduled statewide election unless the legislature orders a special election.""

Renumber: subsequent sections

4. Page 1, line 22.

Strike: "The sufficiency of"

Insert: "If approved by the qualified electors,"

Strike: "petition"

Strike: "not"

Strike: "after the election is held"

Insert: "only on its constitutionality"

5. Page 1, line 27.

Strike: "initiative petitions for"

Following: "amendments"

Insert: "enacted by initiative"

Strike: "not"

Following: "challenged"

Insert: "only on its constitutionality"

6. Page 1, line 29.

Strike: "initiative petitions for"

Following: "amendments"

Insert: "enacted by initiative"

Strike: "not"

7. Page 1, line 30.

Following: "challenged"

Insert: "only on its constitutionality"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 88

Noes: Cocchiarella, Ellingson, Ewer, Kadas, Marshall, Pavlovich, Tuss, Wyatt.

Total 8

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Excused: Hibbard.

Total 1

Absent or not voting: Grimes, Heavy Runner, Sliter.

Total 3

Representative Simon resumed the Chair at this time.

Representative Simpkins moved SB 148, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Carey, Cobb, Ellingson, Ewer, Galvin, Harper, Harrington, Hurdle, Kadas, Kasten, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, L. Smith, Swanson, Tuss, Wennemar, Wyatt.

Total 27

Voted Absentee: Hibbard, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 301 - Representative Rehbein moved SB 301, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Boharski, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, McCann, McCulloch, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, S. Smith, Soft, Squires, Story, Swanson, Taylor, Tropila, Tuss, Wennemar, Wyatt.

Total 47

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Feland, Fisher, Fuchs, Grady, Green, H.S. Hanson, Herron, Holland, Jore, Kasten, Keenan, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Rose, Simon, Simpkins, Sliter, L. Smith, Somerville, Stovall, Tash, Trexler, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 50

Excused: Hibbard.

Total 1

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Absent or not voting: Grimes, Wiseman.

Total 2

Representative Elliott moved SB 301, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Boharski, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 36

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Excused: Hibbard.

Total 1

Absent or not voting: Heavy Runner, Sliter.

Total 2

Representative Forbes moved SB 301 be concurred in. Motion failed as follows:

Ayes: Ahner, Arnott, Barnhart, Bergman, Brainard, Clark, Curtiss, DeBruycker, Devaney, Fisher, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McGee, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Ryan, Simpkins, Sliter, S. Smith, Soft, Story, Stovall, Tash, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 47

Noes: Anderson, Barnett, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Schwinden, Shea, Simon, L. Smith, Somerville, Squires, Swanson, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 53

Voted Absentee: Hibbard, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 324 - Representative Masolo moved SB 324 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Bergsagel, Carey, Cobb, DeBruycker, Ellingson, Ewer, Grimes, Hurdle, J. Johnson, R. Johnson, Kadas, McCann, Nelson, Peck, Raney, Ream, Soft, Swanson, Tuss, Wells, Wennemar.

Total 21

Voted Absentee: Hibbard, Aye.

Excused: None.

Total 0

Absent or not voting: Forbes.

Total 1

SB 386 - Representative Raney moved SB 386, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Boharski, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCulloch, Menahan, Nelson, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Soft, Somerville, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 43

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Feland, Fisher, Forbes, Fuchs, Green, Grinde, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Murdock, Ohs, Orr, Quilici, Rehbein, Rose, Simpkins, Sliter, S. Smith, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 52

Excused: Hibbard.

Total 1

Absent or not voting: Grimes, H.S. Hanson, McKee, Molnar.

Total 4

Representative Orr moved SB 386 be concurred in. Motion carried as follows:

Ayes: Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Clark, Cobb, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Ohs, Orr,

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Rehbein, Rose, Simpkins, Sliter, S. Smith, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 52

Noes: Ahner, Barnhart, Bohlinger, Brainard, Carey, Cocchiarella, Denny, Ellingson, Ewer, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCann, McCulloch, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Soft, Somerville, Squires, Story, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 46

Voted Absentee: Hibbard, Aye.

Excused: None.

Total 0

Absent or not voting: H.S. Hanson, McKee.

Total 2

SB 135 - Representative Clark moved SB 135 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Brainard, Ellingson, Ewer, Kasten, Schwinden.

Total 6

Voted Absentee: Hibbard, Aye.

Excused: None.

Total 0

Absent or not voting: H.S. Hanson, Keenan, McKee.

Total 3

SB 83 - Representative Grinde moved SB 83, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON APPROPRIATIONS COMMITTEE REPORT DATED MARCH 8, 1995,
AS FOLLOWS:

Amendment No. 1

In the insert, following: "15-60-102,"

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Strike: "15-65-121,"

Amendment No. 3

Strike: Amendment No. 3 in its entirety

Amendment No. 17

Strike: Section 9 in its entirety

Amendment No. 18

Insert: "~~19~~ 18"

Amendment No. 19

Insert: "~~20~~ 19"

Amendment No. 20

Strike: Amendment No. 20 in its entirety

Amendment No. 33

Strike: Amendment No. 33 in its entirety

Amendment No. 34

Insert: "~~12~~ 11"

Amendment No. 35

Insert: "~~19~~ 18"

Insert: "~~20~~ 19"

Amendment No. 36

Insert: "~~84~~ 80"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McKee, Mills, Molnar, Murdock, Ohs, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, R. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, McGee, Menahan, Nelson, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 34

Excused: Hibbard.

Total 1

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Absent or not voting: Elliott, Grimes, Orr.

Total 3

Representative R. Johnson moved SB 83, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Harper, Pavlovich, L. Smith.

Total 3

Voted Absentee: Hibbard, Aye.

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

SB 350 - Representative Ellis moved SB 350 be concurred in. Motion failed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Denny, Devaney, Ellis, Forbes, Green, Grimes, Grinde, Hagener, H.S. Hanson, Hayne, Holland, R. Johnson, Jore, Kasten, Keenan, Larson, Marshall, Martinez, McCulloch, McGee, Mills, Murdock, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Tash, Taylor, Wells, Wiseman, Zook, Mr. Speaker.

Total 49

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kitzenberg, Knox, Kottel, Masolo, McCann, McKee, Menahan, Molnar, Nelson, Ohs, Orr, Peck, Raney, Ream, Schwinden, Shea, Squires, Story, Swanson, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wyatt.

Total 50

Voted Absentee: Hibbard, No.

Excused: None.

Total 0

Absent or not voting: Kadas.

Total 1

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SB 109 - Representative Grinde moved consideration of SB 109 be placed at the top of the second reading board. Motion carried.

SB 66 - Representative Menahan moved consideration of SB 66 be passed for the day. Motion carried.

SB 109 - Representative Tash moved SB 109 be concurred in. Motion failed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Clark, Curtiss, Feland, Green, Grimes, Grinde, Hagener, Hayne, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Keenan, Knox, Kottel, Marshall, Martinez, McCann, McGee, Mills, Molnar, Ohs, Orr, Peck, Simon, Sliter, S. Smith, Soft, Somerville, Tash, Trexler, Vick.

Total 41

Noes: Bergsagel, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, M. Hanson, Harper, Harrington, Heavy Runner, J. Johnson, Kadas, Kasten, Kitzenberg, Larson, Masolo, McCulloch, McKee, Menahan, Murdock, Nelson, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, L. Smith, Squires, Story, Stovall, Swanson, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 56

Voted Absentee: Hibbard, Aye; Menahan, No.

Excused: None.

Total 0

Absent or not voting: Fuchs, Grady, H.S. Hanson.

Total 3

Representative Hibbard present at this time.

Representatives Harrington, Menahan, Shea and Quilici excused at this time.

SB 140 - Representative Arnott moved SB 140 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Hurdle, Kitzenberg, Menahan, Ohs, Rehbein, Simpkins, Wennemar.

Total 7

Voted Absentee: Harrington, Quilici, Shea, Ayes; Menahan, No.

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Excused: None.

Total 0

Absent or not voting: Feland, H.S. Hanson, Tuss.

Total 3

SB 310 - Representative Bohlinger moved SB 310 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Boharski, Jore, McGee, Rehbein, Ryan, L. Smith, S. Smith, Vick, Wagner.

Total 10

Voted Absentee: Harrington, Menahan, Quilici, Shea, Ayes.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

Representative Sliter assumed the Chair at this time.

SB 236 - Representative Cobb moved SB 236 be concurred in. Motion carried as follows:

Ayes: Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Hayne, Hibbard, Holland, R. Johnson, Jore, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Nelson, Ohs, Pavlovich, Raney, Rehbein, Rose, Schwinden, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Ahner, Anderson, Arnott, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Feland, Fuchs, Galvin, Hagener, Harrington, Heavy Runner, Herron, Hurdle, J. Johnson, Kasten, Kitzenberg, Martinez, Menahan, Murdock, Orr, Peck, Quilici, Ream, Ryan, Shea, L. Smith, Squires, Vick, Wagner, Wyatt.

Total 34

Voted Absentee: Harrington, Menahan, Quilici, Shea, Noes.

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Excused: None.
Total 0

Absent or not voting: Trexler.
Total 1

SB 212 - Representative Anderson moved SB 212 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 89

Noes: Carey, Ellingson, Galvin, Hurdle, Larson, Martinez, Menahan, Pavlovich, Tuss, Wennemar, Wyatt.
Total 11

Voted Absentee: Harrington, Quilici, Shea, Ayes; Menahan, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 402 - Representative Kottel moved SB 402 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Arnott, Curtiss, DeBruycker, Jore, Marshall, Rehbein, Wagner.
Total 7

Voted Absentee: Harrington, Menahan, Quilici, Shea, Ayes.

Excused: None.
Total 0

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Absent or not voting: Boharski, Feland, Keenan, S. Smith.

Total 4

SJR 10 - Representative Mercer moved SJR 10 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 75

Noes: Carey, Cocchiarella, Ellingson, Elliott, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCulloch, Menahan, Pavlovich, Peck, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 25

Voted Absentee: Quilici, Shea, Ayes; Harrington, Menahan, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 63 - Representative Galvin moved SB 63, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Molnar, Pavlovich, Peck, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Excused: Harrington, Menahan, Quilici, Shea.

Total 4

Absent or not voting: Raney.

Total 1

Representative Anderson moved SB 63 be concurred in.

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Representative Kottel moved SB 63, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Ream, Ryan, Schwinden, Shea, Simon, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 38

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Voted Absentee: Harrington, Menahan, Quilici, Shea, Ayes.

Excused: None.

Total 0

Absent or not voting: Raney.

Total 1

The be concurred motion of Representative Anderson carried as follows:

Ayes: Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McCann, McGee, McKee, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 57

Noes: Ahner, Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCulloch, Menahan, Mills, Molnar, Pavlovich, Peck, Quilici, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 42

Voted Absentee: Harrington, Menahan, Quilici, Shea, Noes.

Excused: None.

Total 0

Absent or not voting: Raney.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved that the Committee of the Whole report be adopted.

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Representative Bohlinger made a substitute motion SB 350 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (35-59)

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Simon moved that the Committee of the Whole report be adopted. Report adopted. (69-25)

MOTIONS

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 24. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Ahner
Representative Barnhart

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 56. Motion carried.

Mr. Speaker appointed the following members:

Representative T. Nelson, Chairman
Representative Arnott
Representative Wennemar

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 163. Motion carried.

Mr. Speaker appointed the following members:

Representative M. Hanson, Chairman
Representative Devaney
Representative Galvin

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 181. Motion carried.

Mr. Speaker appointed the following members:

Representative Anderson, Chairman
Representative McKee
Representative Tropila

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 201. Motion carried.

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Mr. Speaker appointed the following members:

Representative Mills, Chairman
Representative Cocchiarella
Representative Keenan

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 259. Motion carried.

Mr. Speaker appointed the following members:

Representative Wagner, Chairman
Representative Marshall
Representative Pavlovich

SB 331 - Representative Hurdle moved she be allowed to change her vote on SB 331, third reading, from not voting to nay. Motion carried.

Representative Denny moved he be allowed to change his vote on SB 331, third reading, from not voting to nay. Motion carried.

Representative Marshall moved he be allowed to change his vote on SB 331, third reading, from aye to nay. Motion carried.

SB 330 - Representative Denny moved he be allowed to change his vote on SB 330, third reading, from not voting to nay. Motion carried.

Representative Marshall moved he be allowed to change his vote on SB 330, third reading, from aye to nay. Motion carried.

SB 363 - Representative Wells moved he be allowed to change his vote on SB 363, third reading, from not voting to aye. Motion carried.

SB 346 - Representative McCulloch moved she be allowed to change her vote on SB 346, third reading, from nay to aye. Motion carried.

SB 229 - Representative Wennemar moved he be allowed to change his vote on SB 229, third reading, from aye to nay. Motion carried.

SB 83 - Representative Anderson moved he be allowed to change his vote on SB 83, second reading, from not voting to aye. Motion carried.

HB 580 - Representative Tuss moved HB 580 be taken from the table in the Committee on Business & Labor, printed, and placed on second reading this legislative day.

Representative Simon made a substitute motion to lay HB 580 on the table. Motion carried. (61-33)

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Wednesday, March 29, 1995. Motion carried.

House adjourned at 6:40 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 29, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Harriet Hayne. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative Kasten, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/28/95
Correctly enrolled: HB 202, HB 233, HB 246, HB 249, HB 289, HB 304, HB 323, HB 332, HB 387, HB 409, HB 415, HB 417, HB 425, HB 442, HB 472, HB 542, HB 557, HB 560, HB 563, HJR 20, HJR 23, HJR 26.
Examined by the sponsor and found to be correct: HB 202, HB 233, HB 246, HB 249, HB 289, HB 304, HB 323, HB 332, HB 343, HB 387, HB 376, HB 409, HB 415, HB 417, HB 425, HB 442, HB 472, HB 542, HB 557, HB 560, HB 563, HJR 20, HJR 23, HJR 26.
Signed by the Speaker at 4:08 p.m., 3/28/95: HB 202, HB 233, HB 246, HB 249, HB 289, HB 304, HB 323, HB 332, HB 343, HB 376, HB 387, HB 409, HB 415, HB 417, HB 425, HB 442, HB 472, HB 542, HB 557, HB 560, HB 563, HJR 20, HJR 23, HJR 26.
Delivered to the Governor for his approval at 10:15 a.m., 3/28/95: HB 357, HB 414, HB 434, HB 534, HB 570, HB 572.
Delivered to the Governor for his approval at 8:30 a.m., 3/29/95: HB 202, HB 233, HB 246, HB 249, HB 289, HB 304, HB 323, HB 332, HB 343, HB 376, HB 387, HB 409, HB 415, HB 417, HB 425, HB 442, HB 472, HB 542, HB 557, HB 560, HB 563.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 38
Report No. 1, March 22, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate bill 38, met and considered:

House floor amendments to third reading copy (blue)

We recommend that SB 38 (reference copy - salmon) be amended as follows:

1. Title, line 6.

Strike: "\$4"

Insert: "\$8"

2. Page 3, line 27.

Strike: "SAME"

Insert: "most favorable"

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3. Page 3, line 28.

Strike: "AS THE FINANCIAL INSTITUTION PARTICIPATING IN THE"

Insert: "possible on any"

4. Page 5, line 20.

Strike: "\$11.5"

Insert: "\$15.5"

5. Page 5, line 27.

Strike: "\$4"

Insert: "\$8"

And that this Conference Committee report be adopted.

For the Senate:

Benedict, Chairman
Hertel
Lynch

For the House:

Simon, Chairman
Pavlovich
Hibbard

MESSAGES FROM THE SENATE

SB 274, introduced by Devlin, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted on 3/27/95 to the House with the following vote:

YEAS - 26

NAYS - 24

Senate bills passed and transmitted to the House for concurrence:

3/28/95

SB 39, introduced by Halligan

SB 421, introduced by Harp

SB 423, introduced by Grosfield

SB 424, introduced by Gage

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 219 sponsored by Representatives Kottel et al. on March 27, 1995.

Sincerely,

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SEVENTY-SECOND LEGISLATIVE DAY - MARCH 29, 1995

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 259 sponsored by Representatives Tuss et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 368 sponsored by Representatives Holland et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 372 sponsored by Representatives McKee et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House

March 27, 1995

HOUSE JOURNAL
SEVENTY-SECOND LEGISLATIVE DAY - MARCH 29, 1995

State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 384 sponsored by Representatives Ream et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 385 sponsored by Representative R. Johnson on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 428 sponsored by Representatives Ewer et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 431 sponsored by Representative Shea on March 27, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 433 sponsored by Representatives Grady et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 439 sponsored by Representatives Ohs et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 454 sponsored by Representative Harper on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer

March 27, 1995

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 467 sponsored by Representative Green on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 489 sponsored by Representatives Grady et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 501 sponsored by Representatives Anderson et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 27, 1995

Dear Representative Mercer:

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Please be informed that I have signed House Bill 536 sponsored by Representatives Mills et al. on March 27, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 65 sponsored by Representative McKee on March 28, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 84 sponsored by Representative Story on March 28, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 335 sponsored by Representatives Squires et al. on March 28, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 375 sponsored by Representatives Harper et al. on March 28, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 28, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 461 sponsored by Representatives Ryan et al. on March 28, 1995.

Sincerely,

MARC RACICOT
Governor

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time, and referred to committees:

SB 39, introduced by Halligan, referred to Committee on Taxation.
SB 274, introduced by Devlin, referred to Committee on Taxation.
SB 421, introduced by Harp, referred to Committee on Taxation.
SB 423, introduced by Grosfield, referred to Committee on Education & Cultural Resources.
SB 424, introduced by Gage, referred to Committee on Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sliter in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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Representative Ahner excused at this time.

SB 66 - Representative Menahan moved SB 66, second reading copy, be amended as follows (amendment #1):

1. Title, line 11.

Strike: "AND"

2. Title, line 13.

Following: "MCA"

Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 13, line 11.

Insert: "

NEW SECTION. Section 21. Coordination -- effective dates. (1) If House Bill No. 357 and [this act] are both passed and approved:

(a) [sections 1 through 18] of [this act] are effective July 1, 1997; and

(b) the sentencing commission shall include recommendations for implementing the public policy contained in [sections 1 through 18] of [this act].

(2) [Sections 19, 20, and this section] are effective July 1, 1995.

(3) If House Bill No. 357 is not passed and approved, then this section is void."

Amendment #1 passed as follows:

Ayes: Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, DeBruycker, Ellingson, Heavy Runner.

Total 4

Excused: Kasten.

Total 1

Absent or not voting: Ahner, Denny, Kottel, Squires, Tuss.

Total 5

Representative Menahan moved SB 66, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan,

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Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 80

Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Heavy Runner, Herron, Hurdle, Kadas, Martinez, Ream, Rehbein, Squires, Swanson, Wennemar, Wyatt.

Total 18

Voted Absentee: Ahner, Kasten, Ayes.

Excused: None.

Total 0

Absent or not voting: Orr, Tuss.

Total 2

SB 339 - Representative Pavlovich moved consideration of SB 339 be placed at the bottom of the second reading board. Motion carried.

SB 186 - Representative Grady moved SB 186 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, Hurdle, Jore, Rehbein.

Total 4

Voted Absentee: Ahner, Kasten, Ayes.

Excused: None.

Total 0

Absent or not voting: Brainard, Cocchiarella, Forbes, Grinde, Harrington, Tuss.

Total 6

Representative Kasten present at this time.

SB 223 - Representative Soft moved SB 223 be concurred in.

Representative Cobb moved SB 223, second reading copy, be amended as follows (amendment #1):

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1. Page 11, lines 20 through 24.

Following: "(8)" on line 20

Strike: remainder of line 20 through "." on line 24

Amendment #1 passed as follows:

Ayes: Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Masolo, McCahn, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 84

Noes: Carey, Cocchiarella, Ellingson, Ewer, Grimes, Harper, Harrington, Heavy Runner, Kottel, Martinez, McCulloch, Shea, Wennemar, Wyatt.

Total 14

Excused: Ahner.

Total 1

Absent or not voting: Curtiss.

Total 1

Representative Molnar moved SB 223, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Feland, Forbes, Fuchs, Green, Grinde, Herron, Jore, Martinez, McCann, Molnar, Murdock, Orr, Raney, Rehbein, Simpkins, L. Smith, S. Smith, Story, Stovall, Trexler, Vick, Wagner, Wells, Wiseman.

Total 33

Noes: Anderson, Barnhart, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Ellingson, Ellis, Ewer, Fisher, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Pavlovich, Peck, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Soft, Somerville, Squires, Swanson, Tash, Taylor, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 63

Excused: Ahner.

Total 1

Absent or not voting: Arnott, Elliott, Kitzenberg.

Total 3

Representative Ahner present at this time.

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Representative Molnar moved SB 223, second reading copy, be further amended (amendment #3). Amendment #3 failed as follows:

Ayes: Arnott, Barnett, Barnhart, Bergman, Boharski, Brainard, Clark, DeBruycker, Denny, Green, Jore, Martinez, McGee, Molnar, Raney, Rehbein, Ryan, Simpkins, L. Smith, S. Smith, Trexler, Vick, Wagner, Wells, Wiseman.
Total 25

Noes: Anderson, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kottel, Larson, Marshall, Masolo, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Ream, Rose, Schwinden, Shea, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 65

Excused: None.
Total 0

Absent or not voting: Ahner, Curtiss, Ellis, Feland, Fuchs, Grady, Kitzenberg, Knox, McCann, Ohs.
Total 10

Representative Soft moved SB 223, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 80

Noes: Bergsagel, Brainard, Curtiss, DeBruycker, Denny, Green, Grinde, Jore, Martinez, Mills, Molnar, Orr, Rehbein, L. Smith, S. Smith, Story, Taylor, Trexler, Vick, Wagner.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 13 - Representative Cocchiarella moved SJR 13 be concurred in.

Representative Boharski moved SJR 13, second reading copy, be amended as follows (amendment #1):

Title, lines 5 through 8.
Strike: "THE" on lines 5 through "PREPARE" on line 8

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Title, lines 8 through 9.

Strike: "TO COMPETE" on lines 8 through "CENTURY" on line 9

1. Page 1, lines 18 through 24.

Strike: lines 18 through 24 in their entirety

2. Page 2, line 2.

Strike: "a new vision for"

Insert: "and improving an already successful"

Strike: "preparation"

3. Page 2, line 2.

Strike: "; and"

Insert: "."

4. Page 2, lines 3 through 8.

Strike: lines 3 through 8 in their entirety

5. Page 2, lines 12 through 20.

Strike: lines 12 through 20 in their entirety

Insert: "That the Legislature recognizes the effort put forth by local communities and state officials.

BE IT FURTHER RESOLVED, that the Legislature encourages these individuals to continue their mission."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Kasten, Keenan, Knox, Martinez, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wyatt, Zook, Mr. Speaker.

Total 64

Noes: Arnott, Barnhart, Carey, Ellingson, Elliott, Ewer, Fisher, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, Menahan, Pavlovich, Raney, Ream, Ryan, Schwinden, Simon, Story, Swanson, Trexler, Tropila, Wennemar, Wiseman.

Total 33

Excused: None.

Total 0

Absent or not voting: Grady, Jore, Tuss.

Total 3

Representative Cocchiarella moved SJR 13, as amended, be concurred in. Motion carried as follows:

Ayes: Anderson, Arnott, Barnhart, Bergman, Boharski, Bohlinger, Carey, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Kottel,

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Larson, Masolo, McCann, McCulloch, McKee, Menahan, Molnar, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Taylor, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Barnett, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Green, M. Hanson, Hayne, Heavy Runner, Jore, Kasten, Knox, Marshall, Martinez, McGee, Mills, Murdock, Ohs, Orr, Rehbein, Simpkins, S. Smith, Somerville, Tash, Trexler, Vick, Wagner, Wells.

Total 30

Excused: None.

Total 0

Absent or not voting: Ahner, Grady, Grimes.

Total 3

SB 250 - Representative Ellis moved SB 250 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Green, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Peck, Rehbein, Rose, Ryan, Schwinden, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 74

Noes: Arnott, Boharski, Cobb, Cocchiarella, DeBruycker, Denny, Galvin, Grady, Grinde, Harrington, Heavy Runner, Kadas, Kasten, Murdock, Pavlovich, Quilici, Ream, Shea, S. Smith, Wyatt.

Total 20

Excused: None.

Total 0

Absent or not voting: Curtiss, Forbes, Grimes, Jore, Raney, Simon.

Total 6

SB 143 - Representative Boharski moved SB 143, second reading copy, be amended as follows (amendment #1):

1. Page 1, lines 24 and 25.

Strike: lines 24 and 25 in their entirety

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon,

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Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Cocchiarella, Denny, Ellingson, Fisher, Harrington, Hurdle, Kitzenberg, Menahan, Swanson, Wennemar.

Total 10

Excused: None.

Total 0

Absent or not voting: Green, Heavy Runner, J. Johnson, Martinez, Molnar, L. Smith.

Total 6

Representative Keenan moved SB 143, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Bergsagel, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 206 - Representative Simpkins moved SB 206 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Murdock, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 34

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Excused: None.

Total 0

Absent or not voting: McCann.

Total 1

SB 127 - Representative Anderson moved SB 127 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 95

Noes: Brainard, Galvin, Hurdle, Murdock.

Total 4

Excused: None.

Total 0

Absent or not voting: Cobb.

Total 1

SB 406 - Representative Orr moved SB 406 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, Mills, Murdock, Ohs, Orr, Rehbein, Ryan, Schwinden, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 58

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Shea, Simon, L. Smith, Squires, Swanson, Trexler, Tropila, Tuss, Wagner, Wyatt.

Total 41

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

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SB 153 - Representative Denny moved SB 153 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Arnott, Bergsagel, Curtiss, DeBruycker, Jore, Keenan, McGee, Orr, Rehbein, Wagner.

Total 10

Excused: None.

Total 0

Absent or not voting: Harrington.

Total 1

SB 339 - Representative Curtiss moved SB 339, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Brainard, Clark, Cobb, Curtiss, Devaney, Forbes, Green, M. Hanson, Jore, Kasten, Keenan, McGee, Molnar, Orr, Simpkins, L. Smith, S. Smith, Somerville, Tash, Taylor, Vick, Wagner, Wells, Mr. Speaker.

Total 30

Noes: Barnhart, Bergsagel, Bohlinger, Carey, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Soft, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook.

Total 70

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Tuss moved SB 339 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg,

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Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 75

Noes: Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Grady, Green, M. Hanson, Hayne, Jore, Kasten, Keenan, McGee, Orr, Simpkins, S. Smith, Story, Taylor, Trexler, Vick, Wagner, Wells, Zook.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Representative M. Hanson in the Chair. Chairman Sliter moved that the Committee of the Whole report be adopted. Report adopted. (90-9)

MOTIONS

Representative Grinde moved that SB 386 be taken from third reading and placed on second reading the next legislative day and that the rules be suspended to permit placement and consideration of SB 386 on second and third readings and transmittal to the Senate the next legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 209 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, DeBruycker, Heavy Runner, Jore, Keenan, Martinez.

Total 6

Excused: None.

Total 0

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Absent or not voting: Clark, Ohs.

Total 2

SB 388 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, Cobb, DeBruycker, Heavy Runner, Kitzenberg, Martinez, Rehbein, L. Smith.

Total 8

Excused: None.

Total 0

Absent or not voting: Hurdle.

Total 1

SB 252 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Arnott, Barnhart, Carey, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 371 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss,

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Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 63

Noes: Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCann, McCulloch, McGee, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Tuss, Vick, Wennemar.
Total 37

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 345 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Murdock, Nelson, Ohs, Pavlovich, Quilici, Rose, Ryan, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Tuss, Vick, Wagner, Wells, Zook, Mr. Speaker.
Total 62

Noes: Arnott, Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fuchs, Galvin, Harper, Heavy Runner, Jore, Kadas, Kasten, Keenan, Kottel, Larson, McCann, McCulloch, Menahan, Mills, Molnar, Orr, Peck, Raney, Ream, Rehbein, Schwinden, L. Smith, Squires, Trexler, Tropila, Wennemar, Wyatt.
Total 37

Excused: None.
Total 0

Absent or not voting: Wiseman.
Total 1

SB 234 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

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Total 75

Noes: Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Galvin, Harper, Jore, Kadas, Keenan, Kottel, Larson, McCulloch, Molnar, Nelson, Peck, Raney, Ream, Schwinden, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 200 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Kasten, Murdock, Trexler, Tuss, Wagner.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 144 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel, Jore, Murdock.

Total 3

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 244 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel, Grinde.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 349 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Keenan, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 80

Noes: Carey, Cocchiarella, DeBruycker, Ellingson, Feland, Fuchs, Hagener, Harrington, Heavy Runner, Hurdle, Kadas, Kasten, Kottel, Orr, Rehbein, S. Smith, Squires, Wyatt.

Total 18

Excused: None.

Total 0

Absent or not voting: Denny, Kitzenberg.

Total 2

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SB 288 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Larson, Martinez, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Wagner, Wiseman, Zook, Mr. Speaker.

Total 58

Noes: Arnott, Barnhart, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fuchs, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Marshall, Masolo, McCulloch, McKee, Menahan, Peck, Raney, Ream, Ryan, Schwinden, L. Smith, Squires, Swanson, Trexler, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 40

Excused: None.

Total 0

Absent or not voting: Grady, Wells.

Total 2

SB 324 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bergsagel, Carey, Cobb, DeBruycker, Ellingson, Ewer, Grimes, Heavy Runner, Hurdle, R. Johnson, Kadas, McCann, McGee, Nelson, Ream, Sliter, Tuss, Wells, Wennemar.

Total 19

Excused: None.

Total 0

Absent or not voting: M. Hanson, Soft.

Total 2

SB 135 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee,

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McKee, Menahan, Mills, Molnar, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 81

Noes: Bergman, Bergsagel, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Harper, Hurdle, Kadas, Murdock, Nelson, Raney, Ream, Schwinden, Swanson, Tuss, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 140 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Kitzenberg, Ohs, Rehbein, Tuss, Wennemar.

Total 5

Excused: None.

Total 0

Absent or not voting: Devaney, Menahan.

Total 2

SB 310 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Arnott, Bergsagel, Boharski, Jore, Martinez, McGee, Murdock, Ohs, L. Smith, S. Smith, Vick, Wagner.

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Total 12

Excused: None.

Total 0

Absent or not voting: Grimes.

Total 1

SB 236 concurred in as follows:

Ayes: Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Harper, Hibbard, Holland, R. Johnson, Kadas, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Nelson, Ohs, Raney, Ream, Rehbein, Rose, Schwinden, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Ahner, Anderson, Brainard, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Feland, Fuchs, Galvin, Grinde, Hagener, Harrington, Heavy Runner, Herron, Hurdle, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Martinez, Menahan, Murdock, Orr, Pavlovich, Peck, Quilici, Ryan, Shea, L. Smith, Squires, Wagner, Wyatt.

Total 35

Excused: None.

Total 0

Absent or not voting: Hayne, Trexler.

Total 2

SB 212 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 90

Noes: Carey, Cocchiarella, Ellingson, Galvin, Hurdle, Kitzenberg, Molnar, Pavlovich, Wennemar, Wyatt.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 402 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Curtiss, DeBruycker, Grinde, Jore, Keenan, Nelson, Rehbein, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 10 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Carey, Cocchiarella, Ellingson, Elliott, Galvin, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCulloch, Menahan, Pavlovich, Peck, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 63 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner,

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Wells, Wiseman, Zook, Mr. Speaker.
Total 55

Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 43

Excused: None.
Total 0

Absent or not voting: Grady, Raney.
Total 2

MOTIONS

SB 350 - Representative Bohlinger moved the House reconsider its action on SB 350 taken on second reading the previous legislative day. Motion carried. (82-18)

SB 402 - Representative Molnar moved he be allowed to change his vote on SB 402, third reading, from nay to aye. Motion carried.

SB 406 - Representative Bohlinger moved he be allowed to change his vote on SB 406, second reading, from nay to aye.

SB 223 - Representative L. Smith moved she be allowed to change her vote on SB 223, second reading, from aye to nay. Motion carried.

SJR 13 - Representative L. Smith moved she be allowed to change her vote on SJR 13, second reading, from nay to aye. Motion carried.

SB 143 - Representative Bergman moved she be allowed to change her vote on SB 143, second reading, from not voting to aye. Motion carried.

SB 163 - Representative Grinde moved the House dissolve the conference committee on SB 163 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 163. Motion carried.

Mr. Speaker appointed the following members:

Representative M. Hanson, Chairman
Representative Devaney
Representative Galvin

SB 135 - Representative Squires moved she be allowed to change her vote on SB 135, third reading, from nay to aye. Motion carried.

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 12:00 p.m., Thursday, March 30, 1995. Motion carried.

House adjourned at 12:20 a.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
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Helena, Montana
March 30, 1995

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Thomas E. Nelson. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Ahner, Anderson, Bergman, Clark, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/29/95
Correctly enrolled: HB 264.
Examined by the sponsor and found to be correct: HB 264.
Signed by the Speaker at 1:39 p.m., 3/29/95: HB 264.

BILLS (Hayne, Chairman): 3/30/95
Correctly enrolled: HB 196.
Examined by the sponsor and found to be correct: HB 196.
Signed by the Speaker at 1:16 p.m., 3/30/95: HB 196.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/29/95

HB 196, introduced by Swanson
HB 264, introduced by Ellis

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/29/95

HB 186, introduced by Kasten
HB 195, introduced by Swanson
HB 201, introduced by Ellis
HB 336, introduced by Barnett
HB 366, introduced by Kasten
HB 482, introduced by Grimes

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 55 sponsored by Representative Bohlinger on March 29, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 534 sponsored by Representatives Harrington et al. on March 29, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 570 sponsored by Representatives Wiseman et al. on March 29, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 29, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 572 sponsored by Representatives Harrington et al. on March 29, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 434 sponsored by Representative Cobb on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 560 sponsored by Representatives Simon et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

MOTIONS

Representative Grinde moved the rules be suspended to permit the late drafting and introduction of a bill. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hurdle in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 350 - Representative Bohlinger moved SB 350, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON BUSINESS AND LABOR REPORT DATED MARCH 16, 1995, ON SENATE BILL 350 AS FOLLOWS:

Strip amendments 1 and 2 in their entirety.

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Amendment #1 passed as follows:

Ayes: Arnott, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bergsagel, Cobb, Feland, Sliter.

Total 4

Excused: Ahner, Anderson, Bergman, Clark, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler.

Total 13

Absent or not voting: Grady.

Total 1

Representative Ellis moved SB 350, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Carey, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Arnott, Barnhart, Bergsagel, Brainard, Cobb, Curtiss, Elliott, M. Hanson, Heavy Runner, Kasten, Keenan, Knox, Murdock, Orr, Peck, Rehbein, Tropila, Tuss, Vick, Wagner, Wennemar.

Total 21

Voted Absentee: Ahner, Anderson, Bergman, Grimes, Jore, McGee, Soft, Tash, Trexler, Ayes; Curtiss, Knox, Rehbein, Noes.

Excused: Clark.

Total 1

Absent or not voting: Molnar.

Total 1

SB 386 - Representative Grinde moved consideration of SB 386 be placed below SB 393 on the second reading board. Motion carried.

SB 198 - Representative Hibbard moved SB 198 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 82

Noes: Barnhart, DeBruycker, Devaney, Feland, Green, Hurdle, R. Johnson, Kasten, Keenan, Molnar, Murdock, Nelson, Peck, Rose, S. Smith, Wagner.

Total 16

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark.

Total 1

Absent or not voting: Wyatt.

Total 1

SB 138 - Representative Hibbard moved SB 138 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, Ellingson, Galvin, Green, Hagener, Hurdle, R. Johnson, Peck, Simpkins, Tuss, Wyatt.

Total 11

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark.

Total 1

Absent or not voting: Grinde.

Total 1

SB 126 - Representative T. Nelson moved SB 126 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Bohlinger, Cocchiarella, Curtiss, Devaney, Ellingson, Ellis,

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Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Bergman, Boharski, Brainard, Carey, Cobb, DeBruycker, Denny, Elliott, Feland, Jore, Keenan, Orr, Peck, Ryan, L. Smith, Tropila, Tuss, Vick, Wagner.

Total 20

Voted Absentee: Ahner, Anderson, Curtiss, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes; Bergman, Jore, Noes.

Excused: Clark, Grimes.

Total 2

Absent or not voting: Hurdle, S. Smith, Wells.

Total 3

SB 328 - Representative Elliott moved SB 328 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: DeBruycker, Devaney, Hayne, Hurdle, Kasten, Keenan, Rehbein, S. Smith.

Total 8

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Soft, Tash, Trexler, Ayes; Rehbein, No.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 98 - Representative Simpkins moved SB 98 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey,

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Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wiseman, Wyatt, Zook.

Total 90

Noes: Galvin, Herron, Hurdle, Keenan, Peck, Tuss, Wagner.

Total 7

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark.

Total 1

Absent or not voting: Wennemar, Mr. Speaker.

Total 2

SB 393 - Representative Somerville moved SB 393 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 79

Noes: Arnott, Boharski, Denny, Ellingson, Galvin, Green, Heavy Runner, Jore, Molnar, Nelson, Orr, Ryan, Tropila, Tuss, Vick, Wagner, Wyatt.

Total 17

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes; Jore, No.

Excused: Clark.

Total 1

Absent or not voting: Bergsagel, Fisher, Grinde.

Total 3

HB 194 - Representative Grinde moved consideration of HB 194 be passed for the day. Motion carried.

SB 386 - Representative Taylor moved SB 386, second reading copy, be amended as follows (amendment #1):

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1. Title, line 4.

Following: "EXEMPTING"

Insert: "CERTAIN"

2. Title, line 7.

Following: "EXCLUDING"

Insert: "CERTAIN"

3. Title, line 10.

Following: "75-10-403,"

Insert: "AND"

Following: "75-10-209,"

Strike: "AND 75-11-307,"

4. Page 3, line 14.

Following: "include"

Insert: "the following tanks or pipes installed as of [the effective date of this act]"

5. Page 4, line 19 through page 6, line 23.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 6, lines 27 and 29.

Following: "TANK"

Insert: "installed as of [the effective date of this act]"

7. Page 7, line 2.

Following: "PIPES"

Insert: "installed as of [the effective date of this act]"

8. Page 7, line 6.

Strike: "EXCEPT" through "IF"

Insert: "If"

9. Page 7, lines 9 and 10.

Strike: subsection (3) in its entirety

10. Page 7, lines 14, 16, and 20.

Strike: "4"

Insert: "3"

Amendment #1 passed as follows:

Ayes: Arnott, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Larson, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook,

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Mr. Speaker.

Total 74

Noes: DeBruycker, Devaney, Galvin, Kasten, Keenan, Knox, Marshall, Orr, Peck, Wagner, Wyatt.

Total 11

Voted Absentee: Knox, No.

Excused: Ahner, Anderson, Bergman, Clark, Curtiss, Grimes, Jore, McGee, Rehbein, Soft, Tash, Trexler.

Total 12

Absent or not voting: Bergsagel, Kottel, Sliter.

Total 3

Representative Orr moved SB 386, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Cocchiarella, Curtiss, Denny, Elliott, Ellis, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 79

Noes: Arnott, Boharski, Brainard, Cobb, DeBruycker, Devaney, Ellingson, Ewer, Fuchs, Galvin, Harper, Hurdle, Marshall, McCann, Orr, Peck, Sliter, Trexler, Wagner, Wyatt.

Total 20

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes; Trexler, No.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 280 - Representative Barnett moved Senate amendments to HB 280 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

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Total 89

Noes: Cobb, Ewer, Tuss, Wyatt.

Total 4

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark, Jore.

Total 2

Absent or not voting: Grady, Grinde, Mills, L. Smith, Somerville.

Total 5

HB 294 - Representative Ohs moved Senate amendments to HB 294 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, Cobb, Feland, Nelson, Orr, Simpkins, L. Smith.

Total 7

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark, Jore.

Total 2

Absent or not voting: Mills, Somerville.

Total 2

HB 322 - Representative Hibbard moved Senate amendments to HB 322 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

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Noes: Bergsagel, Cobb, Hurdle, Molnar, Vick.

Total 5

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark, Jore.

Total 2

Absent or not voting: Grinde, H.S. Hanson.

Total 2

HB 393 - Representative Grady moved Senate amendments to HB 393 be concurred in. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Wyatt.

Total 2

Voted Absentee: Ahner, Bergman, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Anderson, Clark, Curtiss, Jore.

Total 4

Absent or not voting: Hayne.

Total 1

HB 556 - Representative Simon moved Senate amendments to HB 556 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, Wagner.

Total 2

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Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark, Jore.

Total 2

Absent or not voting: Grady, Orr.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Hurdle moved that the Committee of the Whole report be adopted. Report adopted. (73-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 83 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Clark, Cocchiarella, Kottel, Marshall, Menahan, Peck, L. Smith.

Total 7

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes; Clark, No.

Excused: Trexler.

Total 1

Absent or not voting: Herron.

Total 1

SB 148 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr.

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Speaker.
Total 63

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Fisher, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, Menahan, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, L. Smith, Squires, Swanson, Tuss, Wennemar, Wyatt.
Total 34

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes.

Excused: Clark, Trexler.
Total 2

Absent or not voting: Grady.
Total 1

SB 292 concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Curtiss, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 54

Noes: Anderson, Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Grinde, Hagener, Harper, Harrington, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Squires, Swanson, Taylor, Tuss, Wennemar, Wyatt.
Total 42

Voted Absentee: Ahner, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes; Anderson, No.

Excused: Clark, Trexler.
Total 2

Absent or not voting: Galvin, Grady.
Total 2

SB 389 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L.

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Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Ewer, Harper, Kadas, Peck, Raney.

Total 6

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes.

Excused: Clark, Trexler.

Total 2

Absent or not voting: None.

Total 0

SB 398 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 64

Noes: Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kottel, Larson, McCann, McCulloch, Molnar, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 34

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes.

Excused: Clark, Trexler.

Total 2

Absent or not voting: None.

Total 0

SB 66 concurred in as follows: •

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 82

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Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Heavy Runner, Herron, Hurdle, Kadas, Orr, Ream, Rehbein, Tuss, Wennemar, Wyatt.

Total 17

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Soft, Tash, Trexler, Ayes; Rehbein, No.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 223 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Ohs, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Bergsagel, Brainard, Cobb, Curtiss, DeBruycker, Denny, Green, Jore, Keenan, Martinez, McCann, Molnar, Nelson, Orr, Peck, Rehbein, L. Smith, Story, Taylor, Trexler, Vick, Wagner.

Total 22

Voted Absentee: Ahner, Anderson, Bergman, Grimes, Knox, McGee, Soft, Tash, Ayes; Curtiss, Jore, Rehbein, Trexler, Noes.

Excused: Clark.

Total 1

Absent or not voting: Grinde, Pavlovich.

Total 2

SJR 13 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 70

Noes: Barnett, Bergsagel, Brainard, Curtiss, DeBruycker, Devaney, Green, M. Hanson, Hayne, Heavy Runner,

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Jore, Kasten, Knox, McGee, Mills, Molnar, Nelson, Orr, Rehbein, Rose, S. Smith, Somerville, Tash, Taylor, Trexler, Vick, Wagner, Wells, Zook.

Total 29

Voted Absentee: Ahner, Anderson, Bergman, Grimes, Soft, Ayes; Curtiss, Jore, Knox, McGee, Rehbein, Tash, Trexler, Noes.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 143 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 60

Noes: Barnhart, Bergsagel, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 37

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark.

Total 1

Absent or not voting: Devaney, Grinde.

Total 2

SB 339 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, Harper, Harrington, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Bergsagel, Boharski, Brainard, Cobb, Curtiss, DeBruycker, Green, Grinde, M. Hanson, Hayne,

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Heavy Runner, Jore, Kasten, Keenan, Martinez, Murdock, Orr, Story, Taylor, Trexler, Vick, Wagner, Wells.
Total 24

Voted Absentee: Ahner, Anderson, Bergman, Grimes, Knox, McGee, Rehbein, Soft, Tash, Ayes; Curtiss, Jore, Trexler, Noes.

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SB 186 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 90

Noes: DeBruycker, Heavy Runner, Hurdle, Jore, Peck, Rehbein, Wyatt.
Total 7

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Knox, McGee, Soft, Tash, Trexler, Ayes; Jore, Rehbein, Noes.

Excused: Clark, Grimes.
Total 2

Absent or not voting: Brainard.
Total 1

SB 250 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Curtiss, Devaney, Elliott, Ellis, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 75

Noes: Arnott, Bergsagel, Boharski, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Ewer, Feland, Galvin,

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Grady, Harper, Harrington, Jore, Kadas, Kasten, Keenan, Larson, Masolo, Murdock, Shea, Wennemar, Wyatt.
Total 24

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes;
Jore, No.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 206 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Raney, Ream, Ryan, Schwinden, Squires, Swanson, Tropila, Tuss.

Total 24

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes.

Excused: Clark.

Total 1

Absent or not voting: Wiseman.

Total 1

SB 127 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Brainard, Jore, McCann, Peck, L. Smith.

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Total 6.

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, McGee, Rehbein, Soft, Tash, Trexler, Ayes;
Jore, No.

Excused: Clark.

Total 1

Absent or not voting: Wiseman.

Total 1

SB 406 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Jore, Kasten, Kitzenberg, Knox, Martinez, McGee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Ewer, Fuchs, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Nelson, Peck, Raney, Ream, Shea, Simon, Squires, Trexler, Tropila, Tuss, Wagner, Wennemar, Wyatt.

Total 38

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Ayes;
Trexler, No.

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 153 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 88

Noes: Arnott, Bergsagel, DeBruycker, Jore, McGee, Orr, Rehbein, Wagner, Zook.

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Total 9

Voted Absentee: Ahner, Anderson, Bergman, Curtiss, Grimes, Knox, Soft, Tash, Trexler, Ayes; Jore, McGee, Rehbein, Noes.

Excused: Clark.

Total 1

Absent or not voting: Grinde, Sliter.

Total 2

SB 350 concurred in as follows:

Ayes: Barnett, Boharski, Bohlinger, Carey, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 69

Noes: Arnott, Barnhart, Bergsagel, Brainard, Cobb, Elliott, M. Hanson, Heavy Runner, Hurdle, Kasten, Keenan, Orr, Peck, Tropila, Tuss, Vick, Wennemar.

Total 17

Excused: Ahner, Anderson, Bergman, Clark, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler.

Total 13

Absent or not voting: Feland.

Total 1

SB 386 concurred in as follows:

Ayes: Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Denny, Elliott, Ellis, Feland, Fisher, Forbes, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Larson, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Taylor, Tropila, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 64

Noes: Brainard, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Ewer, Fuchs, Galvin, Harper, Harrington, Heavy Runner, Hurdle, Keenan, Kottel, Marshall, McCann, Orr, Peck, Quilici, Tuss, Wagner, Wennemar, Wyatt.

Total 24

Voted Absentee: Bergman, Aye.

Excused: Ahner, Anderson, Clark, Curtiss, Grimes, Jore, Knox, McGee, Rehbein, Soft, Tash, Trexler.

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Total 12

Absent or not voting: None.

Total 0

MOTIONS

Representative Tropila moved that the Speaker allow two buses to be chartered to take Representatives to Malmstrom Air Force Base in Great Falls to show their support to the Base Closure Committee. Motion carried.

REPORTS OF STANDING COMMITTEES

TAXATION (Hibbard, Chairman):

3/30/95

SB 397, be concurred in. Report adopted.

SB 407, be concurred in. Report adopted.

SB 418, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 12:00 p.m., Friday, March 31, 1995. Motion carried.

House adjourned at 1:55 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
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Helena, Montana
March 31, 1995

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Reverend Eliudi Issangya, Bishop, International Evangelism Church, Tanzania, East Africa. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Forbes, Galvin, Kasten, Rehbein, Schwinden, Simon, L. Smith, Wiseman, Wyatt, excused. Quorum present.

Mr. Speaker introduced this week's pages:

Robert Hanson, Ingomar
Tyler Hibbard, Helena
Shannon McElroy, Helena
Corey Shamley, Columbia Falls
Eric Sharpe, Helena
J.D. Watson, Great Falls
Erin Siemers, Polson (permanent page)
Daniel Potts, Great Falls (permanent page)

Honorary Pages

Susan Andrus, Marysville
Isaac Dan Griffith, Butte
Tiffany Schenck, Helena

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 3/31/95
Correctly enrolled: HB 307, HB 395, HB 421, HB 485, HB 509, HB 513, HB 531, HB 540, HJR 27.
Examined by the sponsor and found to be correct: HB 307, HB 395, HB 421, HB 485, HB 509, HB 513, HB 531, HB 540.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/30/95

HB 74, introduced by Holland

House bills concurred in and returned to the House: 3/30/95

HB 307, introduced by Harrington
HB 395, introduced by Raney
HB 421, introduced by Ewer
HB 485, introduced by Bergsagel
HB 509, introduced by Anderson
HB 513, introduced by DeBruycker
HB 531, introduced by Orr
HB 540, introduced by Molnar

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HJR 27, introduced by McCann

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/30/95

HB 121, introduced by Simon
HB 197, introduced by Ewer
HB 308, introduced by Ewer
HB 309, introduced by Grimes
HB 338, introduced by Grimes
HB 349, introduced by Raney
HB 358, introduced by Trexler
HB 396, introduced by Hayne
HB 412, introduced by Orr
HB 473, introduced by Knox
HB 479, introduced by Arnott
HB 484, introduced by DeBruycker
HB 488, introduced by Tuss
HB 491, introduced by Brainard
HB 518, introduced by Tuss
HB 521, introduced by Wagner
HB 602, introduced by Kitzenberg

Senate bills passed and transmitted to the House for concurrence:

3/30/95

SB 136, introduced by Baer
SJR 21, introduced by Klampe

House amendments to Senate bills concurred in:

SB 86, introduced by Gage
SB 185, introduced by Van Valkenburg
SB 242, introduced by Gage
SB 264, introduced by Gage
SB 265, introduced by Beck
SB 293, introduced by Harding
SB 303, introduced by Pipinich
SB 307, introduced by Harding
SB 311, introduced by Weldon
SB 312, introduced by Mesaros
SB 321, introduced by Swysgood
SB 341, introduced by Holden
SB 378, introduced by Swysgood
SB 408, introduced by Sprague
SJR 14, introduced by Jacobson

Conference committee report #1 adopted:

3/31/95

SB 38, introduced by Benedict

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MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 202 sponsored by Representatives Thomas Nelson et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 233 sponsored by Representatives Knox et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 246 sponsored by Representatives Quilici et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House

March 30, 1995

HOUSE JOURNAL
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State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 249 sponsored by Representative Marshall on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 289 sponsored by Representatives Soft et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 323 sponsored by Representatives Ryan et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 414 sponsored by Representatives Harper et al. on March 30, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 415 sponsored by Representatives Forbes et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 417 sponsored by Representatives Mills et al. on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 30, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 425 sponsored by Representative Keenan on March 30, 1995.

Sincerely,

MARC RACICOT
Governor

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**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bills were introduced, read first time, and referred to committee:

HB 607, introduced by Grinde, referred to Committee on Rules.

HJR 30, introduced by Grinde, referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 136, introduced by Baer, referred to Committee on Rules.

SJR 21, introduced by Klampe, referred to Committee on Human Services & Aging.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative S. Smith in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 194 - Representative Bergman moved Senate amendments to HB 194 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: None.

Total 0

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Wyatt, Ayes.

Excused: Galvin, Schwinden, Simon, L. Smith, Wiseman.

Total 5

Absent or not voting: Grinde, Heavy Runner.

Total 2

HB 564 - Representative Trexler moved Senate amendments to HB 564 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Grinde, Holland, Murdock.

Total 3

HB 445 - Representative Grady moved Senate amendments to HB 445 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Orr.

Total 1

HB 68 - Representative Herron moved Senate amendments to HB 68 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark,

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Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Knox, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rose, Ryan, Shea, Simpkins, Sliter, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 79

Noes: Carey, Ellingson, Ewer, Galvin, Harper, Heavy Runner, Hurdle, Kasten, Kitzenberg, Kottel, McCann, Raney, Rehbein, Schwinden, L. Smith, Tropila, Tuss, Wyatt.

Total 18

Voted Absentee: Forbes, Aye; Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Noes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Soft.

Total 1

HB 326 - Representative Cocchiarella moved Senate amendments to HB 326 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Arnott, Brainard, Cobb, DeBruycker, Feland, Kadas, Keenan, Knox, McGee, Story, Trexler.

Total 11

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Jore, Menahan.

Total 2

HB 352 - Representative Peck moved Senate amendments to HB 352 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington,

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Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Martinez, Quilici.

Total 2

HB 405 - Representative T. Nelson moved Senate amendments to HB 405 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Pavlovich.

Total 1

HB 446 - Representative Orr moved Senate amendments to HB 446 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch,

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McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 81

Noes: Carey, Cocchiarella, Elliott, Galvin, Hagener, Heavy Runner, Hurdle, Kasten, McCann, Ream, Rehbein, Schwinden, L. Smith, Tropila, Wennemar, Wyatt.

Total 16

Voted Absentee: Forbes, Aye; Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Noes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Grady.

Total 1

HB 466 - Representative T. Nelson moved Senate amendments to HB 466 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Cocchiarella.

Total 1

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Ohs.

Total 1

HB 511 - Representative R. Johnson moved Senate amendments to HB 511 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg,

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Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 92

Noes: Galvin, Jore, Wyatt.

Total 3

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Galvin, Wyatt, Noes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Pavlovich, Rose, S. Smith.

Total 3

HB 533 - Representative Grinde moved consideration of HB 533 be passed for the day. Motion carried.

SB 407 - Representative Grinde moved consideration of SB 407 be passed for the day. Motion carried.

HB 111 - Representative Devaney moved Senate amendments to HB 111 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Arnott, Boharski, Herron, Jore, Martinez, S. Smith.

Total 6

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Cobb, Grinde, Kadas, Sliter.

Total 4

HB 248 - Representative Bergsagel moved Senate amendments to HB 248 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Grady.

Total 1

HB 89 - Representative Peck moved Senate amendments to HB 89 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Brainard, DeBruycker, Jore, McGee, Story, Wells.

Total 6

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Cobb, Grinde.

Total 2

HB 184 - Representative DeBruycker moved Senate amendments to HB 184 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark,

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Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Arnott, L. Smith.
Total 2

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, Wyatt, Ayes; L. Smith, No.

Excused: Simon, Wiseman.
Total 2

Absent or not voting: Devaney.
Total 1

HB 200 - Representative Bergman moved Senate amendments to HB 200 be concurred in. Motion failed as follows:

Ayes: Bergman, Cobb, Cocchiarella, Curtiss, Devaney, Feland, Forbes, Galvin, Grimes, Harrington, Hibbard, Hurdle, Kasten, McCann, McKee, Orr, Quilici, Schwinden, Shea, L. Smith, Tash, Zook.
Total 22

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Holland, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Raney, Ream, Rose, Ryan, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Mr. Speaker.
Total 75

Voted Absentee: Forbes, Galvin, Kasten, McCann, Schwinden, L. Smith, Ayes; Wyatt, No.

Excused: Rehbein, Simon, Wiseman.
Total 3

Absent or not voting: None.
Total 0

HB 301 - Representative Soft moved Senate amendments to HB 301 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy

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Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: L. Smith.

Total 1

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, Wyatt, Ayes; L. Smith, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Fisher, Grinde, Herron, Kadas, Molnar.

Total 5

HB 340 - Representative T. Nelson moved Senate amendments to HB 340 be concurred in. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Anderson, Jore.

Total 2

HB 315 - Representative Harrington moved Senate amendments to HB 315 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington,

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Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: None.

Total 0

HB 356 - Representative Boharski moved Senate amendments to HB 356 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Galvin.

Total 1

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes; Galvin, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Barnhart, Murdock, Vick.

Total 3

HB 457 - Representative Vick moved Senate amendments to HB 457 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee,

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McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 86

Noes: Cobb, Cocchiarella, DeBruycker, Ellingson, Harrington, Heavy Runner, Kitzenberg, Pavlovich, Tuss, Wyatt.
Total 10

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Wyatt, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Barnhart, Grinde.

Total 2

HB 136 - Representative Ellis moved Governor's amendments to HB 136 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb.

Total 1

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Denny, Grinde, Molnar.

Total 3

HB 351 - Representative Peck moved Senate amendments to HB 351 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft,

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Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brainard, Cobb, Green, Molnar.

Total 4

Voted Absentee: Galvin, Kasten, McCann, Rehbein, L. Smith, Wyatt, Ayes.

Excused: Forbes, Schwinden, Simon, Wiseman.

Total 4

Absent or not voting: Fuchs.

Total 1

HB 404 - Representative McCulloch moved Senate amendments to HB 404 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel.

Total 1

Voted Absentee: Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Forbes, Simon, Wiseman.

Total 3

Absent or not voting: Fuchs, Grady.

Total 2

HB 176 - Representative Hagener moved Senate amendments to HB 176 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner,

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Wennemar, Zook, Mr. Speaker.
Total 76

Noes: Arnott, Boharski, Brainard, Cobb, DeBruycker, Feland, Grimes, Jore, Keenan, Knox, McGee, Ohs, Orr, Simpkins, L. Smith, S. Smith, Wells, Wyatt.
Total 18

Voted Absentee: Galvin, Kasten, McCann, Rehbein, Schwinden, Ayes; L. Smith, Wyatt, Noes.

Excused: Forbes, Simon, Wiseman.
Total 3

Absent or not voting: Fuchs, Molnar, Sliter.
Total 3

HB 287 - Representative Ream moved Senate amendments to HB 287 be concurred in. Motion carried as follows:

Ayes: Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Ahner, Arnott, Brainard, Cobb, Denny, McGee, Molnar, Vick.
Total 8

Voted Absentee: Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Forbes, Simon, Wiseman.
Total 3

Absent or not voting: Pavlovich.
Total 1

HB 360 - Representative Quilici moved Senate amendments to HB 360 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

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Total 93

Noes: Cobb, Ewer, Heavy Runner.

Total 3

Voted Absentee: Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Forbes, Simon, Wiseman.

Total 3

Absent or not voting: Molnar.

Total 1

SB 132 - Representative Anderson moved Governor's amendments to SB 132 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, DeBruycker, Denny, Devaney, Ellis, Fisher, Fuchs, Green, Grinde, M. Hanson, Herron, Hibbard, Holland, R. Johnson, Jore, Kadas, Kasten, Keenan, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Rehbein, Rose, Ryan, Simpkins, Sliter, Somerville, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wells, Zook, Mr. Speaker.

Total 50

Noes: Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Ellingson, Elliott, Ewer, Feland, Grady, Grimes, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hurdle, J. Johnson, Kitzenberg, Knox, Kottel, McCulloch, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, S. Smith, Soft, Squires, Trexler, Tuss, Wennemar.

Total 43

Voted Absentee: Kasten, McCann, Rehbein, Ayes; Schwinden, No.

Excused: Forbes, Galvin, Simon, L. Smith, Wiseman, Wyatt.

Total 6

Absent or not voting: Wagner.

Total 1

SB 397 - Representative Swanson moved SB 397 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wells, Wennemar, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Brainard, Cobb, Curtiss, DeBruycker, Feland, Green, Grinde, Kasten, Orr, Peck, Rehbein, Simpkins,

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Story, Taylor, Trexler, Wagner.
Total 17

Voted Absentee: McCann, Schwinden, Ayes; Kasten, Rehbein, Noes.

Excused: Forbes, Galvin, Simon, L. Smith, Wiseman, Wyatt.
Total 6

Absent or not voting: Denny, Keenan.
Total 2

SB 418 - Representative Arnott moved consideration of SB 418 be passed for the day. Motion carried.

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman S. Smith moved that the Committee of the Whole report be adopted. Report adopted. (81-5)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 198 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 89

Noes: Brainard, DeBruycker, Feland, Green, Hurdle, R. Johnson, Keenan, Murdock, Rose.
Total 9

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.
Total 2

Absent or not voting: None.
Total 0

SB 138 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, H.S.

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Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.
Total 86

Noes: Barnhart, Cocchiarella, Ellingson, Ewer, Galvin, Green, Hagener, R. Johnson, Peck, Simpkins, Tuss, Wyatt.
Total 12

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Galvin, Wyatt, Noes.

Excused: Simon, Wiseman.
Total 2

Absent or not voting: None.
Total 0

SB 126 concurred in as follows:

Ayes: Anderson, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Arnott, Bergsagel, Boharski, Brainard, Cobb, Cocchiarella, DeBruycker, Denny, Feland, Fisher, Holland, Jore, Keenan, Martinez, Masolo, McGee, Molnar, Orr, Ryan, L. Smith, Tropila, Tuss, Vick, Wagner.
Total 24

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, Wyatt, Ayes; L. Smith, No.

Excused: Simon, Wiseman.
Total 2

Absent or not voting: Ahner, Grimes.
Total 2

SB 328 concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville,

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Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Anderson, DeBruycker, Devaney, Hayne, Kasten, Keenan, Rehbein.

Total 7

Voted Absentee: Forbes, McCann, Schwinden, L. Smith, Wyatt, Ayes; Kasten, Rehbein, Noes.

Excused: Galvin, Simon, Wiseman.

Total 3

Absent or not voting: Kitzenberg, Taylor.

Total 2

SB 98 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Galvin, Keenan, Tuss, Wagner.

Total 4

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes; Galvin, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: None.

Total 0

SB 393 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Pavlovich, Peck, Quilici, Rehbein, Rose, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wennemar, Zook, Mr. Speaker.

Total 77

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Noes: Boharski, Denny, Ellingson, Elliott, Ewer, Galvin, Green, Harper, Heavy Runner, Hurdle, Jore, Nelson, Orr, Raney, Ream, Ryan, Tropila, Tuss, Vick, Wagner, Wyatt.

Total 21

Voted Absentee: Forbes, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Galvin, Wyatt, Noes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: None.

Total 0

HB 280 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 92

Noes: Bergsagel, Cobb, Hurdle, Orr, Rose, Wyatt.

Total 6

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Wyatt, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: None.

Total 0

HB 294 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, Cobb, Feland, Kasten, Kitzenberg, Orr, Rehbein.

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Total 7

Voted Absentee: Forbes, Galvin, McCann, Schwinden, L. Smith, Wyatt, Ayes; Kasten, Rehbein, Noes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Ellingson.

Total 1

HB 322 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Cobb, Hurdle.

Total 2

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Wyatt, Ayes.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Anderson, Hibbard.

Total 2

HB 393 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Zook, Mr. Speaker.

Total 95

Noes: Wyatt.

Total 1

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Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, L. Smith, Ayes; Wyatt, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Nelson, Squires.

Total 2

HB 556 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wyatt, Mr. Speaker.

Total 85

Noes: Boharski, Jore, Keenan, McGee, L. Smith, Vick, Wagner.

Total 7

Voted Absentee: Forbes, Galvin, Kasten, McCann, Rehbein, Schwinden, Wyatt, Ayes; L. Smith, No.

Excused: Simon, Wiseman.

Total 2

Absent or not voting: Kadas, Martinez, Ryan, Squires, Swanson, Zook.

Total 6

MOTIONS

Representative Peck moved the rules be suspended to permit the late drafting and introduction of a bill. Motion carried.

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 446. Motion carried.

Mr. Speaker appointed the following members:

Representative Orr, Chairman

Representative Tuss

Representative Kasten

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 68. Motion carried.

Mr. Speaker appointed the following members:

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Representative Herron, Chairman
Representative Sliter
Representative Schwinden

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 200. Motion carried.

Mr. Speaker appointed the following members:

Representative Ellis, Chairman
Representative Bergman
Representative Cocchiarella

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Governor's amendments to SB 132. Motion carried.

Mr. Speaker appointed the following members:

Representative Anderson, Chairman
Representative Kottel
Representative McGee

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 12:00 p.m., Monday, April 3, 1995. Motion carried.

House adjourned at 2:10 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

The House did not convene on Legislative Day 75. The Senate held a regular session on this day thus making this an official legislative day.

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Helena, Montana
April 3, 1995

House Chambers
State Capitol

House convened at 12:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Brad Molnar. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative Rehbein, excused. Quorum present.

SPECIAL ORDERS OF THE DAY

LEGISLATIVE MEMORIAL SERVICE

April 2, 1995

GEORGE D. ANDERSON

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of George D. Anderson on November 13, 1993, in Great Falls, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Anderson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

George D. Anderson was born October 14, 1923, in Highwood, Montana. He graduated from the Montana School for the Deaf and Blind in Great Falls. In 1949 he married Marian Shepard in Great Falls. She preceded him in death in 1993.

Representative Anderson was a lifelong area resident of Great Falls who held political positions in the 1950s and 1960s and later started the Anderson Bonding Company which he operated for 35 years.

Representative Anderson was first elected to the House of Representatives in 1950 and was re-elected three times from Cascade County. During his tenure, he helped sponsor legislation that mandated a 40-hour work week for city and state workers, sought bonuses for war veterans and increased industrial accident benefits.

Representative Anderson lost his eyesight in an accident as a child and later owned the first seeing-eye dog in Montana. He was a graduate of the LaSalle Extension School in Law and earned his degree through the use of tape recordings and a secretary.

He served as a city police magistrate from 1957 until 1963, when he started his bail and bonding business.

In 1960, Representative Anderson was cited by President Dwight Eisenhower for his efforts in helping securing employment for people with disabilities.

Active in the Cascade County Democratic party, he was a local chapter president of Toastmasters International and a past director of the organization.

Though blind, he could see better than most. His acute sense of hearing allowed him to know if you were honest or putting him on. He immediately recognized someone the moment they spoke and was known for his compassion.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable George D. Anderson and extend to the members of his family our sincere sympathy.

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BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Anderson's family and that an original copy of this memorial be filed with the Montana Historical Society.

RAY C. CAMPBELL

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Ray C. Campbell on February 1, 1995 in Great Falls, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Campbell be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Ray C. Campbell was born January 30, 1900. He graduated from Great Falls High School in 1918. After working a year in the Great Northern Railroad shops he attended the University of Washington.

He worked for the Anaconda Company in Great Falls for 17 years and then enlisted in the U.S. Army during World War II. He served three tours of duty in Great Falls and served in the Korean conflict. He was awarded the Chung Mu with Silver Star Medal from the government of South Korea and also received the American Bronze Star. He retired from the Army in 1963 as a major.

Representative Campbell served in the Montana Legislature for three sessions as a representative from Cascade County and two sessions as chief clerk in the House from 1933 to 1941.

He was a member of the Disabled American Veterans, Elks, Eagles and Masonic lodges, Shriners, and the Veterans of Foreign Wars. He enjoyed fishing and hunting.

He was preceded in death in 1988 by his wife Ebba Lundell Campbell.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Ray C. Campbell and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Campbell's family and that an original copy of this memorial be filed with the Montana Historical Society.

ROBERT SANFORD COTTON

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Robert Cotton on May 25, 1993.

WHEREAS it is fitting and proper that the record and accomplishments of the late Senator Cotton be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Robert Cotton was born on a homestead west of Glasgow on August 27, 1899. He studied agriculture at

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what was then Montana State College in Bozeman before buying land near Paisley. He married Marie Wilson on July 8, 1930, in Glasgow. She preceded him in death in 1970.

Senator Cotton was elected to the Senate in 1943 and served one term. In 1949 he was elected to the House of Representatives, then returned to the Senate two years later. By the time he retired in 1974, he had served 20 years in the Senate and four years in the House.

Senator Cotton, a Democrat, was chairman of the Senate Education Committee and helped draft the state's first school funding equalization program. He also served as president pro tempore of the Senate.

He served 34 years on the board of the Valley Electric Cooperative and 47 years on the board of the First National Bank of Glasgow.

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Robert Cotton and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the Senate of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Secretary of the Senate and the members of the appointed Memorial Committee, be transmitted by the Secretary of the Senate to the surviving members of Senator Cotton's family and that an original copy of this memorial be filed with the Montana Historical Society.

DAVE DRUM

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Dave Drum on October 19, 1994 in Billings, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Drum be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Dave Drum was born March 7, 1923, in Rushville, Indiana, and grew up in Miles City. He served with the U.S. Marines in World War II and again during the Korean Conflict. He graduated in 1947 from the University of Montana with a business degree. That same year, he married Dorothy Gates in Billings.

Representative Drum was a lifelong supporter of the state of Montana, a legislator from Yellowstone County and a member of the Montana Constitutional Convention and Board of Natural Resources. He was instrumental in establishing the Billings Metra. His varied business interests included cattle feeding and ranching and he was proud to be one of the founders of the Kampgrounds of America.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Dave Drum and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Drum's family and that an original copy of this

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memorial be filed with the Montana Historical Society.

EUGENE C. EGAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Eugene Egan on December 19, 1994, in Great Falls, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Egan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Eugene Egan was born January 15, 1905, in Benson, Minnesota, and his family moved to Montana shortly thereafter. He attended Western Montana College and taught in various schools in Pondera County.

In 1935 he married E. Grace Brophy in Valier and they ranched near Valier until his retirement in 1972.

He was active in the St. Francis Catholic Church and was a member of the Knights of Columbus. He served on the board of the Horizon Lodge and worked for county health reform. He also served 12 years on the board of directors for the Pondera County Canal and Reservoir Company and was chairman during the rebuilding of the Swift Dam.

Representative Egan served in the Legislature in the 1960s. In the 1970s, he was on a regional State Board of Crime Control Council.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Eugene Egan and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Egan's family and that an original copy of this memorial be filed with the Montana Historical Society.

W. JAY FABREGA

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of W. Jay Fabrega on April 27, 1992 in Costa Rica.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Fabrega be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

W. Jay Fabrega was born on May 17, 1933, in San Jose, Costa Rica. He came to the United States when he was 20 and served in the Army. After attending a trade school in Minneapolis, he went to work for Formon Ford Company and was transferred to Montana to manage the Great Falls plant in 1960. He worked for the House of Glass and eventually bought the business.

W. Jay Fabrega served in the House of Representatives for five terms beginning in 1975 and was known for achieving a perfect record--no bills killed in committee were ever resurrected and every bill passed by the committee passed the entire House. He was rated third best among 100 House members in a Lee Newspaper survey

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in 1981.

Although his education beyond high school was limited to a technical school for drafting, he was able to master the intricacies of legislation in the Taxation and Business and Industry committees. During his tenure in the House, he became one of the experts on the Taxation Committee and while the Republicans were in majority, he chaired the Business and Industry Committee.

He had the foresight to envision and introduce a lottery for Montana in the mid-1970s. He was active in the effort to restructure the property tax and automobile license plate fees. He worked at controlling the unreasonable burdens OSHA placed on businesses. He carried a measure that required clarity and ease of understanding in ballot initiatives and referendums.

He married the former Julie Preda in St. Paul, Minnesota, in 1959. The marriage ended in a divorce, and she now lives in St. Paul, Minnesota. He later married Helga Wegner in Sun City, Arizona.

Representative Fabrega served as secretary-treasurer and office manager for the Montana Farmers Union for 18 months before moving to Sun City, Arizona in 1985. The following year, he moved back to his native Costa Rica, where he ran a small coffee plantation.

Besides his political activities in Great Falls, Representative Fabrega was president of the Great Falls Builders Exchange and DeMolay Memorial, Inc., moderator of the First Congregational Church and a member of the Masonic Lodge.

Jay held an abiding love and faith in America's democratic process. He never failed to remind Montanans of this birthright and the responsibility to be vigilant in its preservation.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable W. Jay Fabrega and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Fabrega's family and that an original copy of this memorial be filed with the Montana Historical Society.

HAROLD GERKE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Harold Gerke on September 4, 1993, in Billings, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Gerke be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Harold Gerke was born in Cherokee, Iowa, and moved to Montana in 1921. He raised cattle and was a founding member and officer of the Northern International Livestock Exposition. In 1986 he was chairman of the state Horse Racing Board.

Representative Gerke was mayor of Billings in 1962-63, after three terms as a city alderman. Mayor Joseph Leone appointed him community affairs director in 1974, and as director of the Billings Housing Authority, he oversaw construction of 102 housing units for elderly people.

A Democrat, Representative Gerke served in the Montana House of Representatives for 16 years beginning in 1965. He was elected speaker in 1972 and held the position in 1980. He was a mental health advocate and served

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on local and state mental health boards.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Harold Gerke and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Gerke's family and that an original copy of this memorial be filed with the Montana Historical Society.

WILLIAM M. HAND

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of William M. Hand on February 24, 1994, in Dillon, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Hand be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Bill Hand was born in Butte on August 21, 1924. He graduated from Beaverhead County High School in 1942 and received a bachelor's degree in mining engineering from Montana Tech in 1948.

Representative Hand served in the Montana House of Representatives four legislative sessions between 1977 and 1985. A conservative Democrat, he was an advocate of business and natural resources development. He worked briefly as a lobbyist for the Montana Mining Association.

Representative Hand died of a heart attack while working at his mining operation west of Argenta.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable William Hand and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Hand's family and that an original copy of this memorial be filed with the Montana Historical Society.

THOMAS O. HAGER

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Thomas O. Hager on April 24, 1993, in Billings, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Senator Hager be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

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Tom Hager was truly exemplary as a citizen legislator. He lived in the heart of his district and was always available to the constituents. Tom operated his commercial egg business on the edge of his district. It was not an easy business, and certainly not a suit-and-tie job. He is remembered in shirt sleeves and dust, making things go. Nevertheless, he always took time out for interim committee work, Republican Party work and helping others with election campaigns.

He and his wife, Connye, were a great team. Tom was a leader in the legislature by his example and counsel. Even when his health deteriorated and he suffered severely from heart surgery complications, he never gave up. Tom served ably right up to the very end of his life. He died on the last day of his last session.

Tom was a faithful husband, father, friend, statesman and public servant.

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Thomas O. Hager and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the Senate of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Secretary of the Senate and the members of the appointed Memorial Committee, be transmitted by the Secretary of the Senate to the surviving members of Senator Hager's family and that an original copy of this memorial be filed with the Montana Historical Society.

JOHN LYON

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of John Lyon on September 18, 1993, in Shelby, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Senator Lyon be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

John Lyon was born July 25, 1920 in Shelby and lived in that community most of his life. He operated a crop spraying business, owned and operated KSEN radio, and was involved in oil and gas production.

Senator Lyon served in the Montana Senate from 1969 to 1971 and was a member of the Senate Taxation Committee. He attempted to persuade others in the Legislature to adopt business-like methods in the management of governmental affairs. During the sales tax debates of the 1971 Legislature, he persuaded legislators to put partisan considerations aside and try to reach a consensus with regard to taxes. They adjourned without providing a way to raise money for the following biennium and had to meet for a special session to decide on a method of taxation.

In 1986, he retired and moved to the Kalispell area with his wife, Jean.

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John Lyon and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the Senate of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Secretary of the Senate and the members of the appointed Memorial Committee, be transmitted by the Secretary of the Senate to the surviving members of Senator Lyon's family and that an original copy of this memorial be filed with the Montana Historical

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Society.

ROBERT B. McCULLOCH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Robert B. McCulloch on January 21, 1995, in Mesa, Arizona.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative McCulloch be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

He was born on July 16, 1907, in Clarissa, Minnesota to Frank and Mattie Dorsey McCulloch. At the time of his death, he was residing in Mesa with his wife Doris Roulier McCulloch, whom he married in 1992. He was preceded in death by his first wife, Margaret Aakjer in 1969, his second wife Phyliss Aaker in 1990.

Representative McCulloch served two terms in the House of Representatives from 1966 to 1970. At that time the representatives served all of Gallatin County and he served both terms with fellow Republicans Al Newby, Robert F. Dye and John Shively. He was very supportive of Montana State University and sponsored the bill to build the Reno H. Sales Stadium.

He was one of the few non-lawyers on the Judiciary Committee. He worked on legislation that would make city and county government self-supporting and was also a "special" friend of the Montana School for the Deaf and Blind in Great Falls. His wife, Margaret, passed away from the Hong Kong flu while he was in Helena in 1969 and he decided not to run for a third term.

Representative McCulloch served on the board of directors of the Bozeman Deaconess Hospital, was a member of the Grand Avenue Christian Church, and Gallatin and Three Forks historical societies.

He was a commander of the Bozeman American Legion Post 14, master of Bozeman Lodge No. 18, AF and AM, Scottish Rite Bodies of Livingston, and Algeria Shrine Temple of Helena, where he was a member of the Jesters. He also held memberships in the Eastern Star and White Shrine temples of Bozeman, and was a veteran of World War II, serving in the U.S. Army.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Robert B. McCulloch and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative McCulloch's family and that an original copy of this memorial be filed with the Montana Historical Society.

HAROLD C. NELSON

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Harold Carl Nelson, on March 22, 1995, in Cut Bank, Montana.

WHEREAS, it is fitting and proper that the record and accomplishments of the late Senator Nelson be filed on the official records of this Assembly and the following facts relative to his career are hereby noted:

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Harold C. Nelson was born October 20, 1909, and educated in Cole Harbor, North Dakota. In 1954, he married Lois Thompson in Billings and settled in Cut Bank. He farmed and ranched on the Marias River and served eight years in the Montana State Senate.

In 1960 he helped organize the First National Bank in Cut Bank and served as a director. He was the first president of the Friends of the Library and was a member of the Cut Bank Rainbow Board.

Senator Nelson was a member of the Marias Hereford Breeders Association, the Montana Hereford Association, American Cattlemen's Association, and Montana Stockgrowers Association. He served as director of the Glacier County Livestock Association, received the Silver Spur Award for contributions to Montana agriculture and served on the Agriculture Stabilization Conservation Service Commission. He also served as chairman of the 4-H Building Committee for the four-county area.

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Harold Nelson and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the Senate of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Secretary of the Senate and the members of the appointed Memorial Committee, be transmitted by the Secretary of the Senate to the surviving members of Senator Nelson's family and that an original copy of this memorial be filed with the Montana Historical Society.

WINFIELD EMERSON PAGE

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Winfield Emerson Page on July 11, 1994 in Missoula, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Page be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Winfield Emerson Page was born in Owatonna, Minnesota, on May 23, 1904, and moved with his family to Billings when he was eight years old. He attended the University of Montana and the University of Minnesota.

Representative Page began his political career in 1928 as a Hoover Minute Man; he gave short campaign talks for Republican candidates on local radio broadcasts.

In the early 1930s, he helped found the state's chapter of Young Republicans and served as its chairman. He went on to serve as regional director of the Pacific Northwestern States for Young Republicans National Federation from 1941 to 1946.

He married Alice Rhoads Clark in 1938.

In 1962, after losing a bid for the state Senate, he quit politics and went back to managing stocks and bonds for a living and to gardening for serenity.

As president of the Western Montana Shrine Club, he brought the first Shrine Circus to Missoula.

The lifelong Republican served seven terms in the House of Representatives beginning in 1943. He was also known for a 1940 primary-election battle against Jeannette Rankin for the U.S. Congress. Rankin won the primary election, but Page then helped her in the general-election campaign, which she won. The two became close friends.

In 1947, while serving in the Legislature, Representative Page wrote a bill that increased the property-tax levy for higher education from three mills to six which has been a stable source of funding for education ever since.

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He led the fight to build the University of Montana's Adams Field House and in 1949 pushed through the largest budget increase in the University's history.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Winfield Emerson Page and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Page's family and that an original copy of this memorial be filed with the Montana Historical Society.

JOHN A. RYAN

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the 54th Legislative Assembly of the State of Montana record the passing of John A. Ryan on March 13, 1992, at Yuma, Arizona.

WHEREAS it is fitting and proper that the and accomplishments of the late Representative Ryan be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

John A. Ryan was born April 4, 1916, at Brusett, Montana, the son of James and Elvira Ballentine Ryan. He attended country school at Spring Creek and Linberger schools through the eighth grade. Following his schooling, he went to work in the Big Hole Basin and later worked for Ebert Stanton. He operated his own sheep ranch until 1980 when he retired and leased his land.

He was married to Elva Shirley Barrett on March 27, 1939, at Malta, Montana. They were the parents of five daughters and raised the children on the ranch. Shirley preceded John in death June 13, 1986. He married Agnes Matovich Woltermann June 6, 1987, in Columbus, Montana. They lived at Columbus and Brusett until the time of their deaths.

Representative Ryan served as president of the Garfield County Woolpool Association and also as president of the Montana Wool Growers Association. He was a member of the Montana Stockgrowers Association, Masonic Lodge, Al Bedoo Shrine, Presbyterian Church, the Garfield Special Livestock Board, the Range Riders Museum, the FHA Board, and the Fairview Hall Association. He also served on the Jordan School Board and the Country School Board.

Representative Ryan served two terms in the House of Representatives from 1981 through 1983.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable John A. Ryan and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Ryan's family and that an original copy of this

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memorial be filed with the Montana Historical Society.

CARL M. SMITH

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Carl M. Smith on December 30, 1993 in Olive, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Smith be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Carl M. Smith was born on August 29, 1901, in Brighton, Iowa, to Charlie M. and Ollie Rotsinger Smith. That year his family moved to a homestead near Broadus, Montana. When Carl was seven weeks old, his mother brought him to Montana on the train. In 1925, Carl married Inez Kelsey and they made their home on the Mizpah near Olive, where they lived for the past 67 years.

Representative Smith was elected to the Montana State Legislature in 1961 and retired in 1982. He carried the Montana flag for the Montana Centennial Parade in 17 cities of the United States and helped open the New York World's Fair in 1964. He rode his favorite horse, Sorrelly, in these parades.

Representative Smith was a member of the Masonic Lodge, Al Bedoo Shrine, and the Montana Stockgrowers Association. He was the first president of the Montana Farm Bureau and a stockholder in the Powder River Bank. Representative Smith was an active 4-H leader and served on the fair board for many years. He started the calf scramble and ran it for several years. He also supported the Yellowstone Boys Ranch by donating a calf to the ranch each year. In 1979, the Powder River County Fair was dedicated both to Carl and Inez Smith.

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Carl M. Smith and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Smith's family and that an original copy of this memorial be filed with the Montana Historical Society.

ROBERT D. WATT

WHEREAS, it is with deep and sincere sorrow that the members of the Senate of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Robert D. Watt on March 14, 1994 in Missoula, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Senator Watt be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Robert D. Watt was born in Marion County, Indiana, and lived there until 1910, when his family moved to Missouri. In 1925 he graduated from the University of Missouri and in 1928 earned a master's degree from the University of Indiana. He came to Montana soon afterward and worked as a dragline operator in the Flathead Valley.

From 1932 to 1936, he taught at the St. Ignatius school. In 1937 he joined the teaching staff of the

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Missoula County High School. He enlisted in the U.S. Army in 1942 and served with distinction in the North African campaign during World War II.

At the end of the war, he returned to Missoula and took up his teaching duties. In 1958 he was elected Missoula County Superintendent of Schools. At the end of his four-year term, he successfully ran for a seat in the Montana House of Representatives and served six consecutive terms. In 1972 Representative Watt attended the Democratic nominating convention in Chicago as a delegate from Montana. In 1974 he was elected to the Montana Senate, a post he held through 1980. While he was a member of each house, he chaired its influential Tax Committee.

During his long tenure in the Legislature, he sponsored bills creating the Fort Youth Camp, the satellite high school for Seeley Lake, the school foundation program, and the long range building program. He saw clearly early in his legislative career that the state needed long-term planning for building and government development. His building plan did just that, as did the school funding plan he worked on. Both have served the state exceptionally well through two generations, and many political administrations. He also was a strong advocate for replacing the local property tax on housing with a specially designed income tax. It passed each house but never in the same session.

Senator Watt has been described by colleagues and friends as a gentleman politician who was creative and intelligent, controversial and courageous, gentle and thoughtful but tough at times; who was an advocate of good government and a man of absolute integrity, decency and dignity.

He married Mabel Hardy Benson in March 1965. She shared his social and political interests, and together they were responsible for establishing Common Cause in Montana. In 1972, at the age of 72, he was hired by students at the University of Montana to lobby on their behalf at the state Constitutional Convention. Long after retiring from public office, Senator Watt continued to participate in public affairs, often via commentaries and letters to the editor in the Missoulian. In 1990 Common Cause honored him with an award.

NOW, THEREFORE, BE IT RESOLVED BY THE
SENATE OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Robert D. Watt and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the Senate of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Secretary of the Senate and the members of the appointed Memorial Committee, be transmitted by the Secretary of the Senate to the surviving members of Senator Watt's family and that an original copy of this memorial be filed with the Montana Historical Society.

CARL J. ZABROCKI

WHEREAS, it is with deep and sincere sorrow that the members of the House of Representatives of the Fifty-fourth Legislative Assembly of the State of Montana record the passing of Carl J. Zabrocki on September 7, 1994 in Miles City, Montana.

WHEREAS it is fitting and proper that the record and accomplishments of the late Representative Zabrocki be filed on the official records of this Assembly and the following facts relative to his career are hereby noted.

Carl Zabrocki was born July 31, 1923 at Alan, Montana near Watson Flats in eastern Montana. When he was a young child, he moved with his family to Miles City where he graduated from Custer County High School in 1941.

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Following graduation he enlisted in the Air Force and spent two-and-a-half years in Europe after landing on Omaha Beach. In 1949, he married Evelyn Edmondson and together operated Carl's Super Service in Miles City for 40 years. He was a member of Sacred Heart Church, Eagles and Elks lodges, American Legion, and Veterans of Foreign Wars.

In 1980, he was elected to the Montana Legislature and served three terms in the House of Representatives. He served on the Legislative Administration, Taxation, and Highways and Transportation committees. He supported legislation that benefitted education, laid-off railroad workers, the repeal of the 10% individual surtax, repair of the Tongue River Dam, and funding for spousal abuse programs. He supported funding for the state's local council on aging and worked to protect retirement income from inflation and taxation and for the inclusion of home health care on insurance policies.

Representative Zabrocki advocated keeping Montana water in and for the use of Montana. He worked toward acquiring right-of-ways and pushing for the completion of Interstate Highway 94 between Terry and Miles City, to prevent any further loss of life on that dangerous stretch of road.

He was known as a conscientious legislator who looked out for the best interests of Eastern Montana and was heard to say "A term in the Legislature is worth a year in college."

NOW, THEREFORE, BE IT RESOLVED BY THE
HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That we hereby express our esteem and respect to the memory of the honorable Carl Zabrocki and extend to the members of his family our sincere sympathy.

BE IT FURTHER RESOLVED, that a copy of this memorial be entered upon the Journal of the House of Representatives of the Fifty-fourth Legislative Assembly and that original copies of this memorial, signed by the Chief Clerk of the House of Representatives and the members of the appointed Memorial Committee, be transmitted by the Chief Clerk to the surviving members of Representative Zabrocki's family and that an original copy of this memorial be filed with the Montana Historical Society.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/3/95

Correctly enrolled: HB 280, HB 294, HB 322, HB 393.

Examined by the sponsor and found to be correct: HB 280, HB 294, HB 322, HB 393, HJR 27.

Delivered to the Governor for his approval at 9:00 a.m., 4/3/95: HB 196, HB 264.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/3/95

HB 2, introduced by Zook

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 31, 1995

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Dear Representative Mercer:

Please be informed that I have signed House Bill 357 sponsored by Representatives Boharski et al. on March 31, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 31, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 409 sponsored by Representatives Barnett et al. on March 31, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

March 31, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 472 sponsored by Representatives Knox et al. on March 31, 1995.

Sincerely,

MARC RACICOT
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCulloch in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 533 - Representative Arnott moved Senate amendments to HB 533 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cobb.

Total 1

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: Grady.

Total 1

SB 407 - Representative Ohs moved SB 407 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Brainard, DeBruycker, Feland, Hurdle, Orr.

Total 5

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 418 - Representative Arnott moved SB 418 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Boharski, Brainard, Cobb, Cocchiarella, DeBruycker, Feland, Heavy Runner, Hurdle, Kasten, Kitzenberg, Orr, Rose, S. Smith, Tuss.

Total 14

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

HB 354 - Representative Mills moved Senate amendments to HB 354 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: DeBruycker.

Total 1

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: Ellingson.

Total 1

HB 272 - Representative Stovall moved Senate amendments to HB 272 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin,

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Total 96

Noes: Boharski, Ellingson, Tuss.
Total 3

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: Nelson.
Total 1

HB 286 - Representative Pavlovich moved Senate amendments to HB 286 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 93

Noes: Curtiss, Feland, McGee, Orr, Vick.
Total 5

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: M. Hanson, Molnar.
Total 2

HB 201 - Representative Ellis moved Senate amendments to HB 201 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson,

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Total 80

Noes: Carey, Cobb, Cocchiarella, Ellingson, Ewer, Harper, Harrington, Heavy Runner, Hurdle, Keenan, Marshall, McCulloch, Pavlovich, Raney, Shea, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 20

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 539 - Representative Soft moved Senate amendments to HB 539 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Curtiss, Denny, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Brainard, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Heavy Runner, Jore, Kitzenberg, Nelson, Orr, Squires, Tuss, Wagner.

Total 14

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 150 - Representative Ahner moved Senate amendments to HB 150 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar,

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Total 97

Noes: None.
Total 0

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: Barnett, Devaney, Hagener.
Total 3

HB 157 - Representative Denny moved Senate amendments to HB 157 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cocchiarella, Ellingson, Rehbein.
Total 3

Voted Absentee: Rehbein, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 186 - Representative Kasten moved Senate amendments to HB 186 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan,

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Total 98

Noes: Hurdle.
Total 1

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

HB 232 - Representative Jore moved Senate amendments to HB 232 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Boharski, Galvin, Harrington, Hurdle, Tropila.
Total 5

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: Trexler.
Total 1

HB 240 - Representative Soft moved Senate amendments to HB 240 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 94

Noes: Brainard, DeBruycker, Jore, Orr.

Total 4

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: Bergman, Denny.

Total 2

HB 311 - Representative Grinde moved Senate amendments to HB 311 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Hurdle.

Total 1

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 347 - Representative Kottel moved Senate amendments to HB 347 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 83

Noes: Boharski, Brainard, Cobb, Curtiss, Devaney, Feland, Green, Grinde, Jore, Kasten, Molnar, Orr, Simpkins,

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S. Smith, Story, Vick, Wagner.
Total 17

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 366 - Representative Kasten moved Senate amendments to HB 366 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Rehbein, Aye.

Excused: None.
Total 0

Absent or not voting: Taylor.
Total 1

HB 380 - Representative McKee moved Senate amendments to HB 380 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

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Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 429 - Representative Molnar moved Senate amendments to HB 429 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: DeBruycker, Ellingson, Ewer, Kottel, Peck, Tuss, Wennemar.

Total 7

Voted Absentee: Rehbein, Aye.

Excused: None.

Total 0

Absent or not voting: Barnett.

Total 1

HB 444 - Representative Harper moved Senate amendments to HB 444 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Brainard, Jore, Orr, Vick.

Total 5

Voted Absentee: Rehbein, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Barnhart excused at this time.

HB 530 - Representative Wiseman moved Senate amendments to HB 530 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Barnhart, Rehbein, Ayes.

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

HB 273 - Representative Grinde moved Senate amendments to HB 273 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 92

Noes: Brainard, Cobb, Elliott, H.S. Hanson, Somerville, Wyatt.

Total 6

Voted Absentee: Barnhart, Rehbein, Ayes.

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Excused: None.

Total 0

Absent or not voting: Fuchs, Squires.

Total 2

HB 325 - Representative Simpkins moved Senate amendments to HB 325 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 96

Noes: DeBruycker, Jore, Wyatt.

Total 3

Voted Absentee: Barnhart, Rehbein, Ayes.

Excused: None.

Total 0

Absent or not voting: Vick.

Total 1

HB 298 - Representative Galvin moved Governor's amendments to HB 298 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Brainard, Fuchs.

Total 2

Voted Absentee: Barnhart, Rehbein, Ayes.

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Excused: None.
Total 0

Absent or not voting: Green.
Total 1

HB 164 - Representative Harper moved Senate amendments to HB 164 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Boharski.
Total 1

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.
Total 1

Absent or not voting: Fisher.
Total 1

HB 418 - Representative Devaney moved Senate amendments to HB 418 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

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Total 1

Absent or not voting: R. Johnson, Simpkins.

Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman McCulloch moved that the Committee of the Whole report be adopted. Report adopted. (97-1)

THIRD READING OF BILLS .

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 194 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Barnhart, Cocchiarella, Elliott, Orr, Tuss, Wennemar.

Total 6

Voted Absentee: Barnhart, No.

Excused: Rehbein.

Total 1

Absent or not voting: Anderson, Kadas, L. Smith.

Total 3

HB 564 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

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Noes: None.
Total 0

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.
Total 1

Absent or not voting: Carey, Clark, McKee.
Total 3

HB 445 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Arnott, Bergsagel, Cobb, Fisher, Jore, Kasten, Vick, Wagner.
Total 8

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.
Total 1

Absent or not voting: None.
Total 0

HB 326 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Anderson, Arnott, Bergsagel, Brainard, Cobb, DeBruycker, Feland, Fisher, Green, Jore, Kadas, Kasten, Keenan, Knox, McGee, L. Smith, S. Smith, Story, Taylor, Vick.
Total 20

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Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: Devaney.

Total 1

HB 352 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 405 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Barnhart, Aye.

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Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 466 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 96

Noes: Bergsagel, Kadas.

Total 2

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: Wyatt.

Total 1

HB 511 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Bergsagel, Carey, Cobb, Cocchiarella, DeBruycker, Ewer, Grinde, Harper, Kasten, Ream, Ryan, Tuss.

Total 12

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

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Absent or not voting: Ellingson.

Total 1

HB 111 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 82

Noes: Arnott, Barnhart, Boharski, Cobb, Cocchiarella, Ellingson, Galvin, Herron, Jore, Martinez, Ryan, L. Smith, S. Smith, Tropila, Tuss, Vick, Wyatt.

Total 17

Voted Absentee: Barnhart, No.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 248 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Fuchs, R. Johnson, L. Smith.

Total 3

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

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HB 89 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Arnott, Boharski, Jore, McGee, Orr, S. Smith, Story, Vick, Wagner, Wells.

Total 10

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: Green.

Total 1

HB 184 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Fisher, Herron, Mills, Ryan, Wagner.

Total 6

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 301 - as amended by the Senate concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Fisher, Jore, Sliter, L. Smith, Wagner.

Total 5

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 340 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 315 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs,

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Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel.

Total 1

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 356 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: Tuss.

Total 1

HB 457 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar,

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Murdock, Nelson, Ohs, Peck, Quilici, Raney, Ream, Rose, Ryan, Simon, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wiseman, Mr. Speaker.

Total 75

Noes: Bergsagel, Brainard, Cobb, Cocchiarella, DeBruycker, Ellingson, Fuchs, Harrington, Heavy Runner, Jore, Kasten, Kitzenberg, Larson, Orr, Pavlovich, Schwinden, Shea, Simpkins, Sliter, Tuss, Wagner, Wennemar, Wyatt, Zook.

Total 24

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 136 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Barnhart, Cobb, Fuchs, Keenan, L. Smith.

Total 6

Voted Absentee: Barnhart, No.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 351 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon,

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Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Brainard, Cobb, Jore.
Total 3

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.
Total 1

Absent or not voting: None.
Total 0

HB 404 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Green.
Total 1

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.
Total 1

Absent or not voting: None.
Total 0

HB 176 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wennemar.
Total 61

Noes: Arnott, Barnett, Bergsagel, Boharski, Brainard, Clark, Cobb, DeBruycker, Denny, Feland, Forbes, Grady,

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Green, Grimes, Grinde, H.S. Hanson, Jore, Kasten, Keenan, Kitzenberg, Knox, Martinez, McGee, Molnar, Ohs, Orr, Sliter, L. Smith, S. Smith, Story, Taylor, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 38

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 287 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Arnott, Boharski, Brainard, Fisher, McGee.

Total 5

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

HB 360 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Ellingson, Elliott, Ewer, Harper, Raney, Ream, Tuss.

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Total 8

Voted Absentee: Barnhart, Aye.

Excused: Rehbein.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/3/95
Signed by the Speaker at 12:18 p.m., 4/3/95: HB 307, HB 395, HB 421, HB 485, HB 509, HB 513, HB 531, HB 540, HJR 27.

FISH & GAME (Wagner, Chairman): 3/3/95
SJR 20, be concurred in. Report adopted.

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following House bill was introduced, read first time, and referred to committee:

HR 2, introduced by Peck, referred to Committee on State Administration.

MOTIONS

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 157. Motion carried.

Mr. Speaker appointed the following members:

Representative Clark, Chairman
Representative Denny
Representative Shea

SB 129 - Representative Clark moved SB 129 be taken from the table in the Committee on Highways & Transportation, printed, and placed on second reading this legislative day. Motion failed. (39-56)

HB 311 - Representative L. Smith moved she be allowed to change her vote on HB 311, third reading, from nay to aye. Motion carried.

HB 352 - Representative Shea moved she be allowed to change her vote on HB 352, second reading, from not voting to aye. Motion carried.

HB 405 - Representative T. Nelson moved he be allowed to change his vote on HB 405, second reading, from not voting to aye. Motion carried.

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ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 1:00 p.m., Tuesday, April 4, 1995. Motion carried.

House adjourned at 1:45 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
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Helena, Montana
April 4, 1995

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Duane Grimes. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Pavlovich, Soft, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/4/95
Correctly enrolled: HB 89, HB 111, HB 176, HB 184, HB 194, HB 248, HB 287, HB 301, HB 315, HB 326, HB 340, HB 351, HB 352, HB 356, HB 360, HB 404, HB 405, HB 445, HB 457, HB 466, HB 511, HB 556, HB 564.
Examined by the sponsor and found to be correct: HB 111, HB 176, HB 184, HB 194, HB 248, HB 287, HB 315, HB 326, HB 340, HB 351, HB 352, HB 356, HB 360, HB 404, HB 405, HB 445, HB 457, HB 466, HB 511, HB 556, HB 564.
Signed by the Speaker at 3:10 p.m., 4/3/95: HB 280, HB 294, HB 322, HB 393.

APPROPRIATIONS (Zook, Chairman): 4/3/95
SB 221, be concurred in. Report adopted.

SB 357, be concurred in. Report adopted.

EDUCATION & CULTURAL RESOURCES (Ellis, Chairman): 3/4/95
SB 423, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 163
Report No. 1, March 30, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 163, met and considered:

SB 163 in its entirety.

We recommend that SB 163 (reference copy - salmon) be amended as follows:

1. Page 1, line 17.
Following: "registration"
Insert: "for the original issuance"

And that this Free Conference Committee report be adopted.

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For the Senate:

Jabs, Chairman
Cole
L. Nelson

For the House:

H. Hanson, Chairman
Devaney
Galvin

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

SB 13, introduced by Halligan
SB 27, introduced by Grosfield
SB 90, introduced by Baer
SB 189, introduced by Weldon
SB 210, introduced by Bishop
SB 224, introduced by Christiaens
SB 271, introduced by Burnett
SB 316, introduced by Bishop
SB 347, introduced by Crismore
SB 354, introduced by Forrester
SB 376, introduced by Christiaens
SB 395, introduced by Bartlett

The Senate, on 4/4/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate Amendments to HB 24.

President Brown appointed the following members:

Senator Harding, Chairman
Senator Crippen
Senator Weldon

The Senate, on 4/4/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate Amendments to HB 68.

President Brown appointed the following members:

Senator Benedict, Chairman
Senator Baer
Senator Wilson

The Senate, on 4/4/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate Amendments to HB 446.

President Brown appointed the following members:

Senator Foster, Chairman
Senator Miller

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Senator Eck

The Senate, on 4/4/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on Senate Amendments to HB 157.

President Brown appointed the following members:

Senator Crippen, Chairman
Senator Grosfield
Senator Halligan

The Senate, on 4/4/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate Amendments to HB 200.

President Brown appointed the following members:

Senator Harp, Chairman
Senator Benedict
Senator Forrester

The Senate, on 3/3/95, failed to concur in House amendments to SB 64 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 64.

President Brown appointed the following members:

Senator Gage, Chairman
Senator Hertel
Senator Franklin

The Senate, on 3/30/95, failed to concur in House amendments to SB 113 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to HB 113.

President Brown appointed the following members:

Senator Keating, Chairman
Senator Miller
Senator Brooke

The Senate, on 4/1/95, failed to concur in House amendments to SB 229 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 229.

President Brown appointed the following members:

Senator Hargrove, Chairman
Senator Benedict
Senator Halligan

The Senate, on 3/30/95, failed to concur in House amendments to SB 352 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 352.

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President Brown appointed the following members:

Senator Grosfield, Chairman
Senator Mesaros
Senator Forrester

The Senate, on 3/30/95, failed to concur in House amendments to SB 361 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 361.

President Brown appointed the following members:

Senator Mohl, Chairman
Senator Cole
Senator Weldon

The Senate, on 4/1/95, failed to concur in House amendments to SJR 8 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SJR 8.

President Brown appointed the following members:

Senator Emerson, Chairman
Senator Jenkins
Senator Van Valkenburg

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 304 sponsored by Representative Fisher on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 332 sponsored by Representatives Clark et al. on April 3, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 343 sponsored by Representatives Holland et al. on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 376 sponsored by Representatives Simpkins et al. on April 1, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 387 sponsored by Representatives Boharski et al. on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer

April 3, 1995

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 442 sponsored by Representatives Susan Smith et al. on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 542 sponsored by Representatives Tash et al. on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 557 sponsored by Representative Ellingson on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 3, 1995

Dear Representative Mercer:

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Please be informed that I have signed House Bill 563 sponsored by Representatives Sliter et al. on April 3, 1995.

Sincerely,

MARC RACICOT
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Trexler in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 197 - Representative Ewer moved Senate amendments to HB 197 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Brainard, DeBruycker, Denny, M. Hanson, R. Johnson, Jore, L. Smith, Taylor, Wagner.

Total 9

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Boharski.

Total 1

HB 420 - Representative Ewer moved Senate amendments to HB 420 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor,

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Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: Boharski, Grady.
Total 2

HB 336 - Representative Barnett moved Senate amendments to HB 336 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: Boharski, Tuss.
Total 2

HB 462 - Representative Ewer moved Senate amendments to HB 462 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

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Noes: Curtiss, R. Johnson, L. Smith, Wagner.
Total 4

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: Boharski, Ellingson, Heavy Runner, Tuss.
Total 4

HB 488 - Representative Tuss moved Senate amendments to HB 488 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Brainard, Cobb, DeBruycker, Jore, Knox, McGee, Orr, Sliter, L. Smith, S. Smith, Soft, Taylor, Vick.
Total 13

Voted Absentee: Pavlovich, Aye; Soft, No.

Excused: None.
Total 0

Absent or not voting: Boharski, Grinde, Simpkins.
Total 3

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Trexler moved that the Committee of the Whole report be adopted. Report adopted. (92-1)

Representative Grinde moved the House recess until 1:50 p.m. Motion carried.

House recessed at 1:20 p.m.

House reconvened at 2:05 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative H. Hanson moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Trexler in the Chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 518 - Representative Tuss moved Senate amendments to HB 518 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Bergsagel, Feland, Fuchs, Jore.

Total 5

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Boharski, Forbes.

Total 2

HB 537 - Representative Larson moved Senate amendments to HB 537 be concurred in. Motion failed as follows:

Ayes: Bergman, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Fuchs, Galvin, H.S. Hanson, Harrington, Hayne, J. Johnson, Kitzenberg, Larson, Martinez, Masolo, McCulloch, Menahan, Molnar, Pavlovich, Quilici, Raney, Rehbein, Ryan, Schwinden, Shea, Simpkins, Soft, Trexler, Wagner, Wells, Wyatt.

Total 32

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Ewer, Feland, Fisher, Forbes, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Heavy Runner, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Marshall, McCann, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Peck, Ream, Simon, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 65

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Boharski, Rose, Tuss.

Total 3

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HB 602 - Representative Kitzenberg moved Senate amendments to HB 602 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Heavy Runner, R. Johnson, McCann, Pavlovich, S. Smith, Wennemar.

Total 6

Voted Absentee: Soft, Aye; Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: Boharski, Forbes, Sliter.

Total 3

HB 167 - Representative Shea moved Senate amendments to HB 167 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Brainard, Cobb, Keenan, Rehbein, S. Smith, Vick, Wells.

Total 7

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Bergsagel, Boharski, Kottel.

Total 3

HB 195 - Representative Swanson moved Senate amendments to HB 195 be concurred in. Motion carried as

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follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Grimes, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, McCulloch, McKee, Menahan, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wyatt, Mr. Speaker.
Total 63

Noes: Arnott, Bergman, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Forbes, Green, Grinde, H.S. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Martinez, Masolo, McCann, McGee, Mills, Molnar, Nelson, Orr, Rehbein, Rose, Simpkins, S. Smith, Stovall, Wells, Wiseman, Zook.
Total 36

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Boharski.

Total 1

HJR 13 - Representative Hagener moved Senate amendments to HJR 13 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Cobb, R. Johnson, McGee, Nelson, Ohs, Rehbein, Story.
Total 7

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Boharski, S. Smith.

Total 2

HB 484 - Representative DeBruycker moved Senate amendments to HB 484 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 87

Noes: Arnott, Bergsagel, Carey, Cobb, Ellingson, Harper, Kadas, Kottel, McCann, McCulloch, Tropila, Wyatt.
Total 12

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: Ohs.
Total 1

HB 121 - Representative Simon moved Senate amendments to HB 121 be concurred in. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 81

Noes: Anderson, Arnott, Cocchiarella, Curtiss, Denny, Fisher, Galvin, H.S. Hanson, M. Hanson, Jore, Keenan, Larson, Martinez, Mills, Rose, L. Smith, Somerville, Taylor, Wyatt.
Total 19

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 41 - Representative Simon moved Senate amendments to HB 41 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard,

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Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 90

Noes: Cocchiarella, Ellingson, Heavy Runner, Hurdle, Masolo, Mills, Shea, Tuss, Wyatt.

Total 9

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Somerville.

Total 1

HB 214 - Representative Kottel moved Senate amendments to HB 214 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Ellingson, Molnar, Rehbein.

Total 3

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: Elliott, Grimes, S. Smith.

Total 3

HB 309 - Representative Grimes moved Senate amendments to HB 309 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr,

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Total 89

Noes: Barnhart, Cobb, Cocchiarella, Ellingson, Ewer, Hurdle, Shea, Squires, Tuss, Wennemar, Wyatt.

Total 11

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 543 - Representative Wagner moved Senate amendments to HB 543 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 87

Noes: Ellingson, Galvin, Heavy Runner, Hurdle, Kadas, Menahan, Pavlovich, Ream, Schwinden, Swanson, Tuss, Wennemar, Wyatt.

Total 13

Voted Absentee: Soft, Aye; Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 547 - Representative Clark moved Senate amendments to HB 547 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills,

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Total 94

Noes: Ellingson, Kottel, Pavlovich, Ream, Wyatt.
Total 5

Voted Absentee: Soft, Aye; Pavlovich, No.

Excused: None.
Total 0

Absent or not voting: Tuss.
Total 1

HB 308 - Representative Ewer moved Senate amendments to HB 308 be concurred in. Motion failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, McCulloch, McKee, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Sliter, Soft, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.
Total 44

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Herron, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Orr, Rehbein, Simon, Simpkins, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 56

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 396 - Representative Hayne moved Senate amendments to HB 396 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson,

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Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Pavlovich, Soft, Ayes.

Excused: None.
Total 0

Absent or not voting: Wiseman.
Total 1

Representatives Hagener and Peck excused at this time.

HB 338 - Representative Grimes moved Senate amendments to HB 338 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Clark, Cobb, Curtiss, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Knox, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Zook, Mr. Speaker.
Total 56

Noes: Arnott, Barnhart, Bohlinger, Brainard, Carey, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Somerville, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 42

Voted Absentee: Pavlovich, Soft, Ayes; Hagener, Peck, Noes.

Excused: None.
Total 0

Absent or not voting: Vick, Wiseman.
Total 2

HB 473 - Representative Knox moved Senate amendments to HB 473 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

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Total 83

Noes: Brainard, Carey, Cocchiarella, DeBruycker, Hagener, Hurdle, R. Johnson, Kadas, Kottel, Masolo, Tropila, Tuss, Wyatt.

Total 13

Voted Absentee: Pavlovich, Soft, Ayes; Hagener, No.

Excused: Peck.

Total 1

Absent or not voting: Fuchs, Grimes, Molnar.

Total 3

HB 478 - Representative Story moved Senate amendments to HB 478 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 93

Noes: Cobb, Heavy Runner, Hurdle, Kottel, Wyatt.

Total 5

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Molnar.

Total 1

HB 521 - Representative Wagner moved Senate amendments to HB 521 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Murdock, Ohs, Orr, Pavlovich, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington,

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Total 30

Voted Absentee: Pavlovich, Aye; Hagener, Soft, Noes.

Excused: Peck.

Total 1

Absent or not voting: Clark, Molnar, Nelson, Quilici.

Total 4

HB 295 - Representative Holland moved Senate amendments to HB 295 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Simpkins.

Total 1

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HJR 16 - Representative Cobb moved Senate amendments to HJR 16 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

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Noes: None.
Total 0

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.
Total 1

Absent or not voting: Arnott, Tropila.
Total 2

HB 2 - Representative Zook moved Senate amendments to HB 2 be not concurred in.

Representative DeBruycker made a substitute motion HB 2 be concurred in. Motion failed as follows:

Ayes: Ahner, Arnott, Cobb, DeBruycker, Elliott, Kasten, Marshall, Mills, Rehbein, Simpkins, Sliter, Somerville, Tropila, Vick, Wennemar.
Total 15

Noes: Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, L. Smith, S. Smith, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 82

Voted Absentee: Hagener, Peck, Noes.

Excused: Pavlovich, Soft.
Total 2

Absent or not voting: Larson.
Total 1

The be not concurred in motion of Representative Zook passed 82-15.

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Trexler moved that the Committee of the Whole report be adopted.

Representative Cocchiarella made a substitute motion HB 537 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion failed. (44-50)

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Trexler moved that the Committee of the Whole report be adopted. Report adopted. (74-22)

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 533 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Curtiss.

Total 1

SB 407 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Brainard, Feland, Hurdle, Orr.

Total 4

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

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Absent or not voting: Denny.

Total 1

SB 418 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 81

Noes: Arnott, Boharski, Brainard, Cobb, Curtiss, DeBruycker, Feland, Fisher, Heavy Runner, Hurdle, Jore, Kasten, Kitzenberg, Martinez, Orr, Rehbein, Wagner, Wyatt.

Total 18

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 354 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Arnott, Bergsagel, Boharski, R. Johnson, Jore, Kasten, Keenan, Marshall, Nelson, Rehbein, S. Smith, Vick.

Total 12

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

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HB 272 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Boharski, McGee.

Total 2

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Squires.

Total 1

HB 286 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Curtiss, Feland, R. Johnson, McGee, Orr, S. Smith, Vick.

Total 7

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 201 - as amended by the Senate concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, R. Johnson, Jore, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 61

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 36

Voted Absentee: Pavlovich, Soft, Ayes; Hagener, Peck, Noes.

Excused: None.
Total 0

Absent or not voting: Holland, Kasten, Trexler.
Total 3

HB 539 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Curtiss, Denny, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Raney, Ream, Rose, Ryan, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Brainard, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Elliott, Fuchs, Harrington, Heavy Runner, Jore, Kasten, Kitzenberg, Orr, Pavlovich, Quilici, Rehbein, Schwinden, Shea, Sliter, Tuss, Wagner, Wennemar.
Total 23

Voted Absentee: Hagener, Soft, Ayes; Pavlovich, No.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 150 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington,

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Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 186 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Hurdle, Jore.
Total 2

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 232 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose,

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Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Barnhart, Cocchiarella, Ellingson, Fisher, Galvin, Hagener, Hurdle, R. Johnson, Kadas, Schwinden, Tropila, Tuss.

Total 12

Voted Absentee: Pavlovich, Soft, Ayes; Hagener, No.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 240 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Arnott, Brainard, DeBruycker, Feland, Jore, Kasten, Keenan, Martinez, Orr, Rehbein, Vick.

Total 11

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Grinde, Quilici.

Total 2

HB 311 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 91

Noes: Barnhart, Carey, DeBruycker, Ellingson, Hurdle, Ream, Wennemar.

Total 7

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Green.

Total 1

HB 347 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Arnott, Bergsagel, Boharski, Brainard, Cobb, DeBruycker, Devaney, Feland, Green, Hayne, Herron, Jore, Kasten, Marshall, Martinez, Molnar, Orr, Rehbein, S. Smith, Story, Vick, Wagner.

Total 22

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Denny.

Total 1

HB 366 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

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Noes: None.
Total 0

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 380 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Rehbein.
Total 1

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 429 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 77

Noes: Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCulloch, Ream, Schwinden, Squires, Swanson, Tuss, Wennemar, Wyatt.
Total 21

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Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Feland.

Total 1

HB 444 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Brainard, Kasten, Keenan, Orr.

Total 5

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Hurdle.

Total 1

HB 530 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

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Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 273 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 87

Noes: Carey, Cobb, DeBruycker, Elliott, H.S. Hanson, Mills, Ream, Somerville, Squires, Tuss, Vick, Wells, Wyatt.

Total 13

Voted Absentee: Hagener, Pavlovich, Peck, Soft, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 325 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Arnott, Bergsagel, Boharski, DeBruycker, Denny, R. Johnson, Jore, Kasten, Keenan, McCann, Rehbein, Vick, Wagner.

Total 13

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

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Total 1

Absent or not voting: None.

Total 0

HB 298, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Arnott, Bergsagel, Brainard, Denny, Fuchs, S. Smith.

Total 6

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Forbes, McCann.

Total 2

HB 164 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Boharski, Curtiss, Denny, Herron, Jore, Keenan, Martinez, Rehbein, Sliter, S. Smith, Vick, Wagner.

Total 12

Voted Absentee: Hagener, Pavlovich, Soft, Ayes.

Excused: Peck.

Total 1

Absent or not voting: Devaney.

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Total 1

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Zook, Chairman):
SB 55, be concurred in. Report adopted.

4/4/95

SJR 19, be concurred in. Report adopted.

HUMAN SERVICES & AGING (Grimes, Chairman):
SB 17, be concurred in. Report adopted.

3/31/95

SB 226, be amended as follows:

1. Title, lines 7 and 8.

Strike: "AN INDIVIDUAL WORKING TO COMPLETE CERTAIN COUNSELING REQUIREMENTS"

Insert: "CERTAIN INDIVIDUALS ACTING WITHIN THE SCOPE OF THEIR PROFESSIONAL PRACTICE"

2. Page 1, line 24.

Strike: "and"

Insert: "or"

3. Page 2, line 28.

Following: "educator,"

Insert: "chemical dependency counselor accredited by a federal agency,"

4. Page 2, line 29.

Following: "53-24-215"

Insert: ", "

5. Page 3, line 3.

Following: "profession"

Insert: "or, in the case of a qualified member of another profession who is not licensed or certified or for whom there is no applicable code of ethics, from performing duties and services consistent with the person's training,"

6. Page 3, line 27.

Following: "WORKER"

Insert: ", licensed psychiatrist,"

7. Page 3, line 28.

Following: "PSYCHOLOGIST"

Insert: "when performing the activity or service in a manner consistent with the person's license and the code of ethics of the person's profession"

8. Page 4, line 2.

Strike: "(G)."

Insert: ";

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9. Page 4, line 3.

Strike: "or"

Insert: "(b)"

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 385, be concurred in. Report adopted.

MOTIONS

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 2. Motion carried.

Mr. Speaker appointed the following members:

Representative Zook, Chairman

Representative Bergsagel

Representative Quilici

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 308. Motion carried.

Mr. Speaker appointed the following members:

Representative Wagner, Chairman

Representative Somerville

Representative Ewer

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 537. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman

Representative Keenan

Representative Larson

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 543. Motion carried.

Mr. Speaker appointed the following members:

Representative Tash, Chairman

Representative Wagner

Representative Pavlovich

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Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 547. Motion carried.

Mr. Speaker appointed the following members:

Representative Clark, Chairman
Representative Boharski
Representative McCulloch

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 602. Motion carried.

Mr. Speaker appointed the following members:

Representative Simon, Chairman
Representative Kitzenberg
Representative Quilici

HB 201 - Representative Tropila moved he be allowed to change his vote on HB 201, third reading, from aye to nay. Motion carried.

Representative Hurdle moved she be allowed to change her vote on HB 201, third reading, from aye to nay. Motion carried.

HB 273 - Representative Boharski moved he be allowed to change his vote on HB 273, third reading, from nay to aye. Motion carried.

SB 323 - Representative Grady moved SB 323 be taken from the table in the Committee on Local Government, printed, and placed on second reading this legislative day. Motion carried. (64-31)

SB 227 - Representative Wells moved SB 227 be taken from the table in the Committee on Local Government, printed, and placed on second reading this legislative day. Motion failed. (55-38)

SB 232 - Representative Rehbein moved SB 232 be taken from the table in the Committee on Education & Cultural Resources, printed, and placed on second reading this legislative day. Motion failed. (47-46)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 1:00 p.m., Wednesday, April 5, 1995. Motion carried.

House adjourned at 4:30 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

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Helena, Montana
April 5, 1995

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Loren L. Soft. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative Pavlovich, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/5/95

Examined by the sponsor and found to be correct: HB 89, HB 301.

Delivered to the Governor for his approval at 9:00 a.m., 4/5/95: HB 280, HB 294, HB 307, HB 322, HB 393, HB 395, HB 421, HB 485, HB 509, HB 513, HB 531, HB 540.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 201
Report No. 1, April 4, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 201, met and considered:

House floor amendments to third reading copy (blue)

We recommend that SB 201 (reference copy - salmon) be amended as follows:

1. Title, line 5.

Following: "WHEN"

Insert: "THE EMPLOYER HAS REASON TO BELIEVE THAT"

2. Title, line 6.

Following: "EMPLOYEE"

Strike: "HAS BEEN INVOLVED IN"

Insert: "MAY HAVE CONTRIBUTED TO"

3. Title, line 8.

Strike: "\$1,000"

Insert: "\$1,500"

4. Page 1, lines 29 and 30.

Following: "(ii)" on line 29

Insert: "the employer has reason to believe that"

Following: "EMPLOYEE" on line 30

Strike: "HAS BEEN INVOLVED IN"

Insert: "may have contributed to"

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5. Page 2, line 1.
Strike: "\$1,000"
Insert: "\$1,500"

And that this Conference Committee report be adopted.

For the Senate:

Burnett, Chairman
Keating
Van Valkenburg

For the House:

Mills, Chairman
Keenan
Cocchiarella

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/4/95

HB 574, introduced by Rehbein

House amendments to Senate bills concurred in:

SB 135, introduced by Cole
SB 249, introduced by Bishop
SB 330, introduced by Swysgood
SB 331, introduced by Beck
SB 340, introduced by Crippen
SB 387, introduced by Beck
SB 415, introduced by Grosfield

The Senate, on 4/3/95, failed to concur in House amendments to SB 346 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 346.

President Brown appointed the following members:

Senator Beck, Chairman
Senator Grosfield
Senator Forrester

The Senate, on 4/3/95, failed to concur in House amendments to SB 362 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 362.

President Brown appointed the following members:

Senator Tveit, Chairman
Senator Beck
Senator L. Nelson

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MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 5, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 196 sponsored by Representatives Swanson et al. on April 5, 1995.

Sincerely,

MARC RACICOT
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Masolo in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 221 - Representative Wiseman moved SB 221 be concurred in. Motion failed as follows:

Ayes: Ahner, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Ewer, Feland, Fisher, Forbes, Galvin, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCulloch, Menahan, Molnar, Pavlovich, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Somerville, Squires, Stovall, Swanson, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook.

Total 49

Noes: Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Denny, Devaney, Elliott, Ellis, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McCann, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rehbein, Sliter, S. Smith, Soft, Story, Tash, Taylor, Trexler, Vick, Wagner, Wells, Mr. Speaker.

Total 51

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 357 - Representative Simpkins moved SB 357, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON STATE ADMINISTRATION COMMITTEE REPORT DATED MARCH 9, 1995, AS FOLLOWS:

Strip Amendments 1 through 4 in their entirety.

Amendment #1 passed as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Anderson, Boharski, Curtiss, Devaney, R. Johnson, Jore, Kasten, Soft, Vick.

Total 9

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Nelson.

Total 1

Representative Simpkins moved SB 357, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Bergman, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Masolo, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 68

Noes: Anderson, Barnhart, Bergsagel, Boharski, Brainard, Curtiss, Devaney, Grady, M. Hanson, Holland, R. Johnson, Jore, Kasten, Keenan, Marshall, Martinez, McCann, Mills, Murdock, Orr, Peck, Raney, Rehbein, Sliter, S. Smith, Soft, Somerville, Story, Trexler, Vick, Wagner.

Total 31

Voted Absentee: Pavlovich, Aye.

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Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

SB 423 - Representative Anderson moved SB 423 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Jore, S. Smith, Wells.
Total 3

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Cocchiarella, Harrington.
Total 2

SJR 20 - Representative Cobb moved SJR 20 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: None.
Total 0

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

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Absent or not voting: Boharski, Masolo, S. Smith, Vick.

Total 4

SB 163 - Representative Devaney moved the conference committee report to SB 163 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kasten, Keenan, McGee, Rehbein, Wagner.

Total 5

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Arnott.

Total 1

HB 349 - Representative Raney moved Senate amendments to HB 349 be concurred in. Motion carried as follows:

Ayes: Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Ahner, Brainard, Curtiss, Denny, Devaney, Fuchs, Jore, Kasten, Keenan, McGee, Murdock, Orr, Rehbein, Sliter, Tash, Taylor, Vick, Wagner.

Total 18

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 464 - Representative Harper moved Senate amendments to HB 464 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Mutdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Arnott, Bergsagel, Clark, Devaney, Keenan, Orr, Rehbein, L. Smith, Tash, Wagner.

Total 10

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

HB 160 - Representative Curtiss moved Senate amendments to HB 160 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 86

Noes: Galvin, Hagener, Heavy Runner, J. Johnson, Kadas, Kottel, Menahan, Pavlovich, Shea, Tropila, Tuss, Wennemar, Wyatt.

Total 13

Voted Absentee: Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: Grimes.

Total 1

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HB 482 - Representative Grimes moved Senate amendments to HB 482 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Hayne, Herron, Holland, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Simpkins, Sliter, L. Smith, S. Smith, Soft, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Noes: Barnhart, Bohlinger, Brainard, Carey, Cobb, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Hagener, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kottel, Larson, McCulloch, McKee, Pavlovich, Ream, Rehbein, Schwinden, Shea, Simon, Somerville, Squires, Story, Tuss, Wennemar, Wyatt.

Total 36

Voted Absentee: Pavlovich, No.

Excused: None.

Total 0

Absent or not voting: Galvin.

Total 1

HB 491 - Representative Brainard moved Senate amendments to HB 491 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Molnar, Murdock, Ohs, Orr, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 77

Noes: Barnhart, Cocchiarella, Ellingson, Ewer, Fisher, Grady, Grimes, Harper, Harrington, Heavy Runner, Hibbard, R. Johnson, McKee, Pavlovich, Peck, Raney, Shea, Simon, Soft, Wyatt.

Total 20

Voted Absentee: Pavlovich, No. •

Excused: None.

Total 0

Absent or not voting: Cobb, Mills, Nelson.

Total 3

HB 358 - Representative Trexler moved Senate amendments to HB 358 be not concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 93

Noes: Wennemar, Wyatt.
Total 2

Voted Absentee: Pavlovich, Aye.

Excused: None.
Total 0

Absent or not voting: Cobb, Grady, Grinde, Shea, Simon.
Total 5

SB 323 - Representative Anderson moved SB 323, second reading copy, be amended as follows (amendment #1):

1. Title, lines 7 and 8.
Following: "ZONING;"
Insert: "AND"
Following: "MCA" on line 7
Strike: remainder of line 7 through the second "DATE" on line 8

2. Page 2, line 10.
Following: "AND"
Insert: "and"

3. Page 2, line 12 and 13.
Strike: "BE" on line 12 through "(C)" on line 13

4. Page 4, lines 24 through 27.
Strike: sections 3 and 4 in their entirety
Insert: "NEW SECTION. Section 3. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson,

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Ohs, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Cobb, Curtiss, R. Johnson, Wagner.

Total 4

Excused: Pavlovich.

Total 1

Absent or not voting: Jore, Orr, Simpkins.

Total 3

Representative Grady moved SB 323, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Ohs, Orr, Pavlovich, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Noes: Barnhart, Brainard, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, McKee, Menahan, Molnar, Murdock, Nelson, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 37

Voted Absentee: Pavlovich, Aye.

Excused: None.

Total 0

Absent or not voting: Forbes.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Masolo moved that the Committee of the Whole report be adopted.

Representative Wiseman made a substitute motion SB 221 be segregated from the Committee of the Whole report and the remainder of the report be adopted. Motion carried. (52-45)

MOTIONS

HB 396 - Representative Grinde moved consideration of HB 396 be passed for the day. Motion carried.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 197 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 87

Noes: Arnott, Brainard, DeBruycker, Denny, Fisher, M. Hanson, R. Johnson, Jore, Kasten, Taylor, Wagner.
Total 11

Voted Absentee: Pavlovich, Aye.

Excused: Peck.
Total 1

Absent or not voting: Hagener.
Total 1

HB 420 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Pavlovich, Aye.

Excused: Peck.
Total 1

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Absent or not voting: Green, Hurdle.
Total 2

HB 336 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Hagener.
Total 1

Excused: Pavlovich, Peck.
Total 2

Absent or not voting: Boharski.
Total 1

HB 462 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 89

Noes: Cobb, Denny, Grinde, Jore, McGee, Rehbein, L. Smith, Zook.
Total 8

Voted Absentee: Pavlovich, Aye.

Excused: Peck.
Total 1

Absent or not voting: Somerville, Taylor.
Total 2

HB 488 - as amended by the Senate concurred in as follows:

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Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 78

Noes: Arnott, Bergman, Boharski, Brainard, DeBruycker, Feland, Grinde, R. Johnson, Jore, Kasten, Knox, Nelson, Ohs, Orr, Rehbein, Sliter, L. Smith, S. Smith, Soft, Taylor, Vick, Zook.

Total 22

Voted Absentee: Pavlovich, Peck, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 518 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: Squires.

Total 1

HB 167 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green,

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Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Barnett, Brainard, Clark, Devaney, Jore, Kasten, Keenan, Marshall, Orr, Rehbein, Simpkins, S. Smith, Vick, Wagner, Wells.

Total 15

Voted Absentee: Pavlovich, Peck, Ayes.

Excused: None.

Total 0

Absent or not voting: Fuchs, McCann.

Total 2

HB 195 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, McCulloch, McKee, Menahan, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wennemar, Wiseman, Wyatt, Zook.

Total 68

Noes: Arnott, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, H.S. Hanson, Hayne, Holland, Jore, Kasten, Keenan, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Orr, Rehbein, Simpkins, S. Smith, Stovall, Wells, Mr. Speaker.

Total 31

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HJR 13 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall,

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Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergman, Cobb, Denny, R. Johnson, Jore, Kasten, McGee, Rehbein, Story, Vick.

Total 10

Voted Absentee: Pavlovich, Peck, Ayes.

Excused: None.

Total 0

Absent or not voting: Sliter, S. Smith.

Total 2

HB 484 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bergman, Carey, Cocchiarella, Ellingson, Ewer, Harper, Heavy Runner, Hurdle, Jore, Kadas, McCulloch, Mills, Raney, Schwinden, Tropila, Vick.

Total 16

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: Boharski.

Total 1

HB 121 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McKee, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Story, Stovall,

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Tash, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 73

Noes: Anderson, Arnott, Cocchiarella, Denny, Fisher, Galvin, Grady, H.S. Hanson, M. Hanson, Heavy Runner, Hurdle, Keenan, Masolo, McGee, Menahan, Mills, Quilici, Rehbein, Rose, Ryan, L. Smith, Somerville, Swanson, Taylor, Tuss, Vick, Wyatt.
Total 27

Voted Absentee: Pavlovich, Peck, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 41 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wiseman, Zook, Mr. Speaker.
Total 85

Noes: Cobb, Cocchiarella, Ellingson, Heavy Runner, Hurdle, Jore, Kasten, Masolo, Rehbein, Tuss, Wagner, Wennemar, Wyatt.
Total 13

Voted Absentee: Pavlovich, Aye.

Excused: Peck.
Total 1

Absent or not voting: Hagener.
Total 1

HB 214 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson,

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Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Ellingson.
Total 1

Voted Absentee: Pavlovich, Peck, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 309 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 82

Noes: Carey, Cobb, Cocchiarella, Ellingson, Ewer, Harper, Harrington, Hurdle, Kadas, Kottel, McCulloch, Raney, Ream, Shea, Squires, Wennemar, Wyatt.
Total 17

Voted Absentee: Pavlovich, Aye.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 338 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Martinez, Masolo, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 66

Noes: Arnott, Barnhart, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper,

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Heavy Runner, Hurdle, Kadas, Kottel, Larson, Marshall, McCann, McCulloch, McGee, Raney, Ream, Ryan, Schwinden, Somerville, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 33

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 473 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Carey, DeBruycker, Ellingson, Elliott, Ewer, Hagener, Harper, Hurdle, R. Johnson, Kadas, Kottel, Larson, Menahan, Molnar, Nelson, Raney, Ream, Schwinden, Sliter, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 25

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: Grimes.

Total 1

HB 478 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 88

Noes: Barnhart, Cobb, Cocchiarella, Ellingson, Heavy Runner, Hurdle, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 11

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Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 521 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 69

Noes: Barnhart, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kottel, McCulloch, Nelson, Raney, Ream, Ryan, Schwinden, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 30

Voted Absentee: Pavlovich, Aye.

Excused: Peck.

Total 1

Absent or not voting: None.

Total 0

HB 295 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Carey, Cocchiarella, Ellingson, Jore, Kadas, Rehbein, Schwinden, Tuss, Vick.

Total 9

Voted Absentee: Pavlovich, Aye.

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Excused: Peck.
Total 1

Absent or not voting: Simpkins.
Total 1

MOTIONS

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 358. Motion carried.

Mr. Speaker appointed the following members:

Representative Anderson, Chairman
Representative Trexler
Representative Ryan

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 418. Motion carried.

Mr. Speaker appointed the following members:

Representative Feland, Chairman
Representative Devaney
Representative Ream

Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 491. Motion carried.

Mr. Speaker appointed the following members:

Representative Clark, Chairman
Representative Brainard
Representative Tropila

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 83. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Kasten
Representative Barnhart

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 113. Motion carried.

Mr. Speaker appointed the following members:

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Representative Grimes, Chairman
Representative Bergman
Representative Carey

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 229. Motion carried.

Mr. Speaker appointed the following members:

Representative Curtiss, Chairman
Representative Soft
Representative Wyatt

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 252. Motion carried.

Mr. Speaker appointed the following members:

Representative Knox, Chairman
Representative Tash
Representative Quilici

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 333. Motion carried.

Mr. Speaker appointed the following members:

Representative Somerville, Chairman
Representative McGee
Representative Carey

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 346. Motion carried.

Mr. Speaker appointed the following members:

Representative Knox, Chairman
Representative Ohs
Representative Shea

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 352. Motion carried.

Mr. Speaker appointed the following members:

Representative Anderson, Chairman
Representative Fuchs
Representative Swanson

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Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 361. Motion carried.

Mr. Speaker appointed the following members:

Representative M. Hanson, Chairman
Representative Schwinden
Representative Barnett

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 362. Motion carried.

Mr. Speaker appointed the following members:

Representative Tash, Chairman
Representative Sliter
Representative Tuss

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SJR 8. Motion carried.

Mr. Speaker appointed the following members:

Representative Simpkins, Chairman
Representative Wells
Representative Heavy Runner

REPORTS OF STANDING COMMITTEES

TAXATION (Hibbard, Chairman):
SB 161, be amended as follows:

4/5/95

1. Page 1.

Following: line 16

Insert: "(a) The fee schedule for a motorcycle with an engine that measures 250 cubic centimeters or less is as follows:

- (i) less than 2 years old, \$25;
- (ii) 2 years old and less than 5 years old, \$20;
- (iii) 5 years old and less than 11 years old, \$15; and
- (iv) 11 years old and older, \$10."

Renumber: subsequent subsections

2. Page 1, line 17.

Strike: "1"

Insert: "251"

Strike: "centimeter"

Insert: "centimeters"

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3. Page 1, line 19.

Strike: "\$30"

Insert: "\$50"

4. Page 1, line 20.

Strike: "\$25"

Insert: "\$40"

5. Page 1, line 21.

Strike: "\$15"

Insert: "\$25"

6. Page 1, line 22.

Strike: "\$10"

Insert: "\$15"

And, as amended, be concurred in. Report adopted.

SB 219, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 181
Report No. 1, April 5, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 181, met and considered:

House Committee amendments

We recommend that SB 181 (reference copy - salmon) be amended as follows:

Accept House committee amendments

And that this Conference Committee report be adopted.

For the Senate:

Grosfield, Chairman
Tveit
Weldon

For the House:

Anderson, Chairman
McKee
Tropila

MESSAGES FROM THE SENATE

The Senate, on 4/5/95, acceded to the request of the House and appointed a free conference committee to meet with

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a like committee from the House to confer on HB 2.

President Brown appointed the following members:

Senator Aklestad, Chairman
Senator Swysgood
Senator Jacobson

The Senate, on 4/5/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 308.

President Brown appointed the following members:

Senator Beck, Chairman
Senator Baer
Senator Lynch

The Senate, on 4/5/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 537.

President Brown appointed the following members:

Senator Hertel, Chairman
Senator Crismore
Senator Eck

The Senate, on 4/5/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 543.

President Brown appointed the following members:

Senator Holden, Chairman
Senator Estrada
Senator Van Valkenburg

The Senate, on 4/5/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 547.

President Brown appointed the following members:

Senator Cole, Chairman
Senator Bishop
Senator Bartlett

The Senate, on 4/5/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 602.

President Brown appointed the following members:

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Senator Beck, Chairman
Senator Emerson
Senator Doherty

The Senate, on 4/4/95, failed to concur in House amendments to SB 83 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 83.

President Brown appointed the following members:

Senator Grosfield, Chairman
Senator Swysgood
Senator Jacobson

The Senate, on 4/4/95, failed to concur in House amendments to SB 252 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 252.

President Brown appointed the following members:

Senator Tveit, Chairman
Senator Foster
Senator Weldon

The Senate, on 4/4/95, failed to concur in House amendments to SB 333 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 333.

President Brown appointed the following members:

Senator Bishop, Chairman
Senator Jabs
Senator Van Valkenburg

MOTIONS

HB 227 - Representative Wells moved HB 227 be taken from the table in the Committee on Local Government, printed, and placed on second reading this legislative day. Motion failed. (53-45)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 1:30 p.m., Thursday, April 6, 1995. Motion carried.

House adjourned at 3:40 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

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Helena, Montana
April 6, 1995

House Chambers
State Capitol

House convened at 1:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Bill Tash. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative Grimes, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/6/95

Correctly printed for second reading: HB 607, HR 2, HJR 30.

Correctly enrolled: HB 150, HB 164, HB 186, HB 201, HB 232, HB 240, HB 272, HB 273, HB 286, HB 311, HB 325, HB 347, HB 354, HB 366, HB 380, HB 429, HB 444, HB 530, HB 533, HB 539.

Examined by the sponsor and found to be correct: HB 150, HB 164, HB 186, HB 201, HB 232, HB 240, HB 272, HB 273, HB 286, HB 311, HB 325, HB 347, HB 354, HB 366, HB 380, HB 429, HB 444, HB 530, HB 533, HB 539.

Signed by the Speaker at 6:29 p.m., 4/5/95: HB 89, HB 111, HB 176, HB 184, HB 194, HB 248, HB 287, HB 301, HB 315, HB 326, HB 340, HB 351, HB 352, HB 356, HB 360, HB 404, HB 405, HB 445, HB 457, HB 466, HB 511, HB 556, HB 564.

NATURAL RESOURCES (Knox, Chairman):

4/6/95

SB 366, be concurred in. Report adopted.

SB 382, be amended as follows:

1. Title, line 5.

Strike: "DEGREE OF"

Insert: "METHOD OF SELECTING"

2. Title, line 9.

Strike: "SECTION"

Insert: "SECTIONS 75-10-701 AND"

3. Title, line 10.

Following: "DATE,"

Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

4. Title, line 10.

Strike: "AN"

Strike: "DATE"

Insert: "DATES, AND A TERMINATION DATE"

5. Page 13.

Following: line 23

Insert: "

Section 1. Section 75-10-701, MCA, is amended to read:

"75-10-701. Definitions. As used in this part, unless the context requires otherwise, the following

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definitions apply:

- (1) "Department" means the department of health and environmental sciences provided for in Title 2, chapter 15, part 21.
- (2) "Director" means the director of the department of health and environmental sciences.
- (3) "Environment" means any surface water, ground water, drinking water supply, land surface or subsurface strata, or ambient air within the state of Montana or under the jurisdiction of the state of Montana.
- (4) (a) "Facility" means:
 - (i) any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft; or
 - (ii) any site or area where a hazardous or deleterious substance has been deposited, stored, disposed of, placed, or otherwise come to be located.
- (b) The term does not include any consumer product in consumer use.
- (5) "Fund" means the environmental quality protection fund established in 75-10-704.
- (6) "Hazardous or deleterious substance" means a substance that because of its quantity, concentration, or physical, chemical, or infectious characteristics may pose an imminent and substantial threat to public health, safety, or welfare or the environment and is:
 - (a) a substance that is defined as a hazardous substance by section 101(14) of the federal Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9601(14), as amended;
 - (b) a substance identified by the administrator of the United States environmental protection agency as a hazardous substance pursuant to section 102 of CERCLA, 42 U.S.C. 9602, as amended;
 - (c) a substance that is defined as a hazardous waste pursuant to section 1004(5) of the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6903(5), as amended, including a substance listed or identified in 40 CFR 261; or
 - (d) any petroleum product.
- (7) "Natural resources" means land, fish, wildlife, biota, air, surface water, ground water, drinking water supplies, and any other such resources within the state of Montana owned, managed, held in trust or otherwise controlled by or appertaining to the state of Montana or a political subdivision of the state.
- (8) (a) "Owns or operates" means owning, leasing, operating, managing activities at, or exercising control over the operation of a facility.
- (b) The term does not include holding the indicia of ownership of a facility primarily to protect a security interest in the facility or other location unless the holder has participated in the management of the facility. The term does not apply to the state or a local government that acquired ownership or control through bankruptcy, tax delinquency, abandonment, lien foreclosure, or other circumstances in which the government acquires title by virtue of its function as sovereign, unless the state or local government has caused or contributed to the release or threatened release of a hazardous or deleterious substance from the facility. The term also does not include the owner or operator of the Milltown dam licensed under part 1 of the Federal Power Act (FERC license No. 2543-004) if a hazardous or deleterious substance has been released into the environment upstream of the dam and has subsequently come to be located in the reservoir created by the dam, unless the owner or operator is a person who would otherwise be liable for a release or threatened release under 75-10-715(1).
- (9) "Person" means an individual, trust, firm, joint stock company, joint venture, consortium, commercial entity, partnership, association, corporation, commission, state or state agency, political subdivision of the state, interstate body, or the federal government, including a federal agency.
- (10) "Petroleum product" includes gasoline, crude oil (except for crude oil at production facilities subject to regulation under Title 82), fuel oil, diesel oil or fuel, lubricating oil, oil sludge or refuse, and any other petroleum-related product or waste or fraction thereof that is liquid at standard conditions of temperature and pressure (60 degrees F and 14.7 pounds per square inch absolute).
- (11) "Reasonably anticipated future uses" means likely future land or resource uses that take into consideration:

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(a) local land and resource use regulations, ordinances, restrictions, or covenants;

(b) historical and anticipated uses of the facility;

(c) patterns of development in the immediate area; and

(d) relevant indications of anticipated land use from the owner of the facility and local planning officials.

~~(11)~~ (12) "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing of a hazardous or deleterious substance directly into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing any hazardous or deleterious substance), but excludes releases confined to the indoor workplace environment, the use of pesticides as defined in 80-8-102(30) when they are applied in accordance with approved federal and state labels, and the use of commercial fertilizers as defined in 80-10-101(2) when applied as part of accepted agricultural practice.

~~(12)~~ (13) "Remedial action" includes all notification, investigation, administration, monitoring, cleanup, restoration, mitigation, abatement, removal, replacement, acquisition, enforcement, legal action, health studies, feasibility studies, and other actions necessary or appropriate to respond to a release or threatened release.

~~(13)~~ (14) "Remedial action contract" means a written contract or agreement entered into by a remedial action contractor with the state, or with a potentially liable person acting pursuant to an order or request issued by the department, the United States, or any federal agency, to provide a remedial action with respect to a release or threatened release of a hazardous or deleterious substance.

~~(14)~~ (15) "Remedial action contractor" means:

(a) any person who enters into and is carrying out a remedial action contract; or

(b) any person who is retained or hired by a person described in subsection ~~(14)(a)~~ (15)(a) to provide services relating to a remedial action.

~~(15)~~ (16) "Remedial action costs" means reasonable costs that are attributable to or associated with a remedial action at a facility, including but not limited to the costs of administration, investigation, legal or enforcement activities, contracts, feasibility studies, or health studies."

Renumber: subsequent sections

6. Page 13, line 27.

Strike: "2"

Insert: "3"

Strike: "10"

Insert: "11"

7. Page 19, lines 1 and 5.

Strike: "2"

Insert: "3"

Strike: "10"

Insert: "11"

8. Page 19, line 24.

Following: "ELIGIBLE"

Strike: "TO FOLLOW"

Insert: "for"

9. Page 20, line 6.

Following: the second "ACT"

Strike: "."

Insert: "; or

(e) a facility that is the subject of pending action under this part because the facility has been issued a notice

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commencing a specified period of negotiations on an administrative order on consent."

10. Page 20, line 7.

Following: "THROUGH"

Strike: "(1)(D)"

Insert: "(1)(e)"

11. Page 20, line 16.

Following: "(4)"

Strike: "EXCEPT" through "(2), IF"

Insert: "If"

12. Page 20, line 17.

Following: "DECISION"

Insert: "to reject the filing of the application"

13. Page 20, line 18.

Following: "UNDER"

Strike: "THIS SECTION"

Insert: "subsection (1) or (3)"

Following: "MAY"

Insert: ", within 30 days of receipt of the department's written decision pursuant to [section 9],"

14. Page 20, line 19.

Following: "SCIENCES."

Insert: "In reviewing a department decision to reject an application under subsection (1) or (3), the board shall apply the standards of review specified in 2-4-704."

15. Page 20, line 21.

Following: "BOARD"

Insert: ", the department,"

16. Page 20, line 23.

Following: "7."

Insert: "A hearing before the board may not be requested regarding a decision of the department made pursuant to subsection (2)."

17. Page 21, lines 2, 4 and 17.

Strike: "6"

Insert: "7"

18. Page 21, line 23.

Strike: "2"

Insert: "3"

Strike: "10"

Insert: "11"

19. Page 23, lines 15 and 24.

Strike: "8(1)"

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Insert: "9(1)"

20. Page 23, line 30.

Following: "SATISFY THE"

Insert: "public participation"

21. Page 25, line 9.

Strike: "6"

Insert: "7"

22. Page 26, line 2.

Strike: "4(3)"

Insert: "5(3)"

23. Page 26, line 16.

Strike: "10(2)(B)"

Insert: "11(2)(b)"

24. Page 26, lines 24 through 27.

Strike: subsection (14) in its entirety

Insert: "

(14) Immunity from liability under this section does not apply to a release that is caused by conduct that is negligent or grossly negligent or that constitutes intentional misconduct."

25. Page 27, line 9.

Strike: "2"

Insert: "3"

Strike: "10"

Insert: "11"

26. Page 28, line 3.

Following: "FOR"

Strike: "THE"

Insert: "[insert"

Following: "IDENTIFIED"

Insert: "]"

27. Page 30, line 13.

Page 30, lines 14 and 15.

Strike: "2"

Insert: "3"

Strike: "10"

Insert: "11"

28. Page 30, line 17.

Following: "Applicability."

Insert: "(1)"

29. Page 30, line 18.

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Strike: "OR ADMINISTRATIVE"

30. Page 30, lines 19 through 21.

Following: " "

Strike: "CLAIMS" on line 19 through "." on line 21

31. Page 30.

Following: line 21

Insert: "(2) [Sections 2 through 10] apply after January 1, 2001, to voluntary cleanup plans approved by the department of health and environmental sciences between [the effective date of this act] and January 1, 2001."

32. Page 30.

Following: line 23

Insert: "

NEW SECTION. Section 17. Termination. [Sections 2 through 10] terminate January 1, 2001."

33. Page 30.

Following: line 23

Insert: "NEW SECTION. Section 16. Effective date. [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

TAXATION (Hibbard, Chairman):

4/5/95

SB 409, be amended as follows:

1. Page 1, line 25.

Following: "pupils"

Insert: "solely"

And, as amended, be concurred in. Report adopted.

SB 412, be concurred in. Report adopted.

SB 424, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 602
Report No. 1, April 6, 1995

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 602, met and considered Senate floor amendments to third reading copy (blue) and recommend that HB 602 (reference copy -- salmon) be amended as follows:

1. Page 2, line 12.

Strike: "LOCAL"

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Insert: "basic sector of the"

Following: "ECONOMY"

Insert: ", as defined by the board by rule,"

2. Page 2, line 13.

Strike: "25"

Insert: "50"

3. Page 2, line 14.

Strike: "25"

Insert: "50"

And this Conference Committee report be adopted.

For the House:

Simon, Chairman
Kitzenberg
Quilici

For the Senate:

Beck, Chairman
Emerson
Doherty

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/5/95

HB 7, introduced by Bergsagel

HB 8, introduced by Bergsagel

HB 18, introduced by Zook

HB 305, introduced by Kadas

HB 490, introduced by Squires

HB 512, introduced by DeBruycker

HB 585, introduced by Bergsagel

HB 603, introduced by Zook

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/5/95

HB 3, introduced by Zook

HB 4, introduced by Zook

HB 6, introduced by Bergsagel

HB 550, introduced by Kasten

House amendments to Senate bills concurred in:

SB 140, introduced by Toews

SB 144, introduced by Brooke

SB 200, introduced by Lynch

SB 209, introduced by Swysgood

SB 234, introduced by Grosfield

SB 236, introduced by Waterman

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SB 324, introduced by Bartlett
SB 349, introduced by Foster
SB 371, introduced by Grosfield
SB 388, introduced by Harp
SB 402, introduced by Eck

The Senate, on 4/6/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 358.

President Brown appointed the following members:

Senator Baer, Chairman
Senator Hargrove
Senator Eck

The Senate, on 4/6/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 418.

President Brown appointed the following members:

Senator Devlin, Chairman
Senator Cole
Senator Stang

The Senate, on 4/6/95, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on HB 491.

President Brown appointed the following members:

Senator Baer, Chairman
Senator Grosfield
Senator Van Valkenburg

The Senate, on 4/6/95, failed to concur in House amendments to SB 83 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 83.

President Brown appointed the following members:

Senator Grosfield, Chairman
Senator Swysgood
Senator Jacobson

The Senate, on 4/5/95, failed to concur in House amendments to SB 127 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 127.

President Brown appointed the following members:

Senator Bishop, Chairman

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Senator Estrada
Senator L. Nelson

The Senate, on 4/5/95, failed to concur in House amendments to SB 132 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 132.

President Brown appointed the following members:

Senator Bishop, Chairman
Senator Jabs
Senator Halligan

The Senate, on 4/5/95, failed to concur in House amendments to SB 148 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 148.

President Brown appointed the following members:

Senator Emerson, Chairman
Senator Bishop
Senator Bartlett

The Senate, on 4/5/95, failed to concur in House amendments to SB 198 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 198.

President Brown appointed the following members:

Senator Devlin, Chairman
Senator Beck
Senator Jergeson

The Senate, on 4/5/95, failed to concur in House amendments to SB 206 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 206.

President Brown appointed the following members:

Senator Burnett, Chairman
Senator Baer
Senator Doherty

The Senate, on 4/5/95, failed to concur in House amendments to SB 223 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 223.

President Brown appointed the following members:

Senator Keating, Chairman
Senator Baer
Senator Waterman

The Senate, on 4/5/95, failed to concur in House amendments to SB 345 and appointed a conference committee,

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requesting that the House appoint a like committee to confer on House amendments to SB 345.

President Brown appointed the following members:

Senator Swysgood, Chairman
Senator Sprague
Senator Waterman

The Senate, on 4/5/95, failed to concur in House amendments to SB 386 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 386.

President Brown appointed the following members:

Senator Devlin, Chairman
Senator Crismore
Senator Weldon

The Senate, on 4/5/95, failed to concur in House amendments to SB 398 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 398.

President Brown appointed the following members:

Senator Gage, Chairman
Senator Crippen
Senator Jergeson

The Senate, on 4/5/95, failed to concur in House amendments to SJR 13 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SJR 13.

President Brown appointed the following members:

Senator Toews, Chairman
Senator Jenkins
Senator Stang

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Carey in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 221 - Representative Grinde moved consideration of SB 221 be placed at the bottom of the second reading board. Motion carried.

HB 158 - Representative Fuchs moved Senate amendments to HB 158 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Arnott, Boharski, Jore.

Total 3

Voted Absentee: Grimes, Aye; Arnott, No.

Excused: None.

Total 0

Absent or not voting: Fisher, Harper, Orr, Raney, Simpkins.

Total 5

SB 55 - Representative Cobb moved SB 55 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Elliott, Ellis, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kitzenberg, Knox, Kottel, Masolo, McCann, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Arnott, Bergsagel, Boharski, Carey, Cocchiarella, Devaney, Ellingson, Ewer, Feland, Grady, Hayne, R. Johnson, Jore, Kadas, Kasten, Keenan, Larson, Marshall, Martinez, McCulloch, McGee, Menahan, Pavlovich, Peck, Quilici, Rehbein, Schwinden, Shea, S. Smith, Tuss, Wyatt.

Total 31

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Harper, Orr, Raney, Ream.

Total 4

SJR 19 - Representative Wiseman moved SJR 19 be concurred in. Motion carried as follows:

Ayes: Ahner, Barnett, Bergman, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson,

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Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, R. Johnson, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Anderson, Arnott, Barnhart, Bergsagel, Boharski, Denny, Devaney, Grady, Hagener, Hayne, J. Johnson, Jore, Kadas, Kasten, Kottel, Masolo, McCann, Murdock, Orr, Rehbein, Schwinden, Story, Vick.
Total 23

Voted Absentee: Grimes, Aye.

Excused: None.
Total 0

Absent or not voting: Bohlinger, Ellis, Squires.
Total 3

SB 226 - Representative Soft moved SB 226 be concurred in. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.
Total 75

Noes: Arnott, Bergman, Bergsagel, Boharski, Brainard, DeBruycker, Denny, Feland, Fisher, M. Hanson, Herron, Jore, Kasten, Molnar, Orr, Rehbein, Story, Taylor, Trexler, Vick.
Total 20

Voted Absentee: Grimes, Aye.

Excused: None.
Total 0

Absent or not voting: Anderson, Keenan, Simon, Simpkins, Mr. Speaker.
Total 5

SB 385 - Representative Cobb moved SB 385, second reading copy, be amended as follows (amendment #1):

1. Title, line 10.

Following: line 9

Insert: "PROVIDING FOR THE EXPANSION OF MEDICAID SERVICES TO CERTAIN CHILDREN;
REQUIRING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO ADOPT
RULES PROVIDING FOR MONTHLY FEES TO BE PAID BY CERTAIN MEDICAID RECIPIENTS;"

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2. Page 1, line 29.

Insert: "STATEMENT OF INTENT"

A statement of intent is necessary for this bill because 53-6-131 requires the department of social and rehabilitation services to adopt rules providing for monthly fees to be assessed medicaid recipients for services received from a medicaid health care provider. The rules adopted by the department must provide for a sliding scale of payments by each new recipient, as described in [this act] or as permitted by federal waiver, based upon the number of medicaid recipients per family and the family's income."

3. Page 3, line 17.

Following: "(6)"

Insert: "(a)"

Following: "to"

Insert: ":(i)"

4. Page 3, line 21.

Following: "program"

Insert: "; and"

(ii) subject to funding, all children under 19 years of age whose family income does not exceed up to 133% of the federal poverty threshold and whose family resources do not exceed standards that the department determines reasonable for purposes of the program"

5. Page 3.

Following: line 24

Insert: "(b) The department shall establish by rule a range of monthly fees to be paid for medicaid benefits by medicaid recipients for the expansions described in subsection (6)(a), if allowed by waiver. The department shall work with local health departments to control costs."

6. Page 4, line 3.

Insert: "NEW SECTION. Section 2. Coordination. The amendments to 53-6-131(6)(a)(ii) and (6)(b) contained in [this act] are void if specific funding for the expansion is not contained in House Bill No. 2."

Renumber: subsequent section

Amendment #1 passed as follows:

Ayes: Ahner, Arnott, Barnhart, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Grady, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hurdle, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Somerville, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Wagner, Wyatt, Zook.

Total 56

Noes: Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Green, Grinde, H.S. Hanson, Hayne, Hibbard, Holland, J. Johnson, Jore, Kasten, Keenan, Knox, Marshall, McCann, McGee, McKee, Murdock, Orr, Rose, Sliter, S. Smith, Soft, Tash, Taylor, Vick, Wells, Wiseman, Mr. Speaker.

Total 40

Excused: Grimes.

Total 1

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Absent or not voting: Martinez, Masolo, Wennemar.
Total 3

Representative Soft moved SB 385, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Arnott, Bergman, Bergsagel, Boharski, Brainard, Curtiss, DeBruycker, Devaney, Feland, Fisher, Green, Hayne, Jore, Kasten, Keenan, Marshall, Orr, Rehbein, Rose, L. Smith, S. Smith, Vick, Wagner.
Total 23

Voted Absentee: Grimes, Aye.

Excused: None.
Total 0

Absent or not voting: Sliter.
Total 1

HB 574 - Representative Rehbein moved Senate amendments to HB 574 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Kadas, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 73

Noes: Boharski, Clark, Cobb, DeBruycker, Ellingson, Ewer, Feland, Green, Harper, Harrington, Jore, Kasten, Keenan, Kottel, Pavlovich, Peck, Raney, Shea, S. Smith, Squires, Tuss, Vick, Wells.
Total 23

Excused: Grimes.
Total 1

Absent or not voting: Hurdle, R. Johnson, Sliter.
Total 3

SB 38 - Representative Simon moved the conference committee report to SB 38 be adopted. Motion failed as

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follows:

Ayes: Denny, Devaney, Forbes, Grimes, Grinde, Harrington, Hibbard, Knox, McKee, Mills, Ohs, Pavlovich, Simon, Sliter, Tash, Wagner, Mr. Speaker.

Total 17

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Fuchs, Galvin, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Molnar, Murdock, Nelson, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 82

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Kitzenberg.

Total 1

SB 201 - Representative Ellis moved the conference committee report to SB 201 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 83

Noes: Arnott, Bergsagel, Cobb, DeBruycker, Ewer, Feland, Hurdle, J. Johnson, Jore, Kadas, Kottel, Larson, Rehbein, L. Smith, Wennemar, Wyatt.

Total 16

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

SB 221 - Representative Wiseman moved SB 221 be concurred in. Motion failed as follows:

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Ayes: Ahner, Bergman, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Forbes, Galvin, Grinde, Hagener, Harper, Harrington, Heavy Runner, Herron, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCulloch, Menahan, Pavlovich, Quilici, Ream, Ryan, Schwinden, Shea, Simpkins, Somerville, Squires, Swanson, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook.
Total 46

Noes: Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Curtiss, Denny, Devaney, Ellis, Fisher, Fuchs, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rehbein, Rose, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Mr. Speaker.
Total 53

Voted Absentee: Grimes, No.

Excused: None.
Total 0

Absent or not voting: Simon.
Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Representative M. Hanson in the Chair. Chairman Carey moved that the Committee of the Whole report be adopted. Report adopted. (86-13)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 423 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Jore, S. Smith, Wagner, Wells.
Total 4

Voted Absentee: Grimes, Aye.

Excused: None.

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Total 0

Absent or not voting: Martinez.

Total 1

SJR 20 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Molnar, Rehbein, Vick.

Total 3

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Boharski, Ellingson, S. Smith.

Total 3

SB 163, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 85

Noes: Arnott, Bergsagel, Denny, Green, Grinde, Kasten, Keenan, McGee, Mills, Rehbein, Tuss, Vick, Wagner, Zook.

Total 14

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

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Absent or not voting: Boharski.

Total 1

HB 349 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Arnott, Bergman, Boharski, Brainard, Curtiss, Denny, Devaney, Ellis, Feland, Fuchs, Green, M. Hanson, Heavy Runner, Herron, Jore, Kasten, Keenan, McGee, Murdock, Nelson, Orr, Rose, Sliter, S. Smith, Tash, Taylor, Wagner.

Total 27

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

HB 464 - as amended by the Senate concurred in as follows:

Ayes: Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Trexler, Tropila, Tuss, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Ahner, Anderson, Arnott, Barnett, Bergsagel, Boharski, Cobb, Curtiss, Devaney, Ellis, Feland, Fuchs, Green, Grinde, Hayne, Herron, Kasten, Keenan, Kitzenberg, Martinez, Masolo, McGee, Murdock, Ohs, Orr, Rehbein, Simpkins, L. Smith, S. Smith, Tash, Taylor, Vick, Wagner.

Total 33

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Jore, Wiseman.

Total 2

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HB 160 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 32

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 482 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Noes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, McKee, Menahan, Pavlovich, Raney, Ream, Ryan, Schwinden, Shea, Simon, Squires, Story, Swanson, Tuss, Wennemar, Wyatt.

Total 37

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Galvin, Grady.

Total 2

HJR 16 - as amended by the Senate concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Grimes, Aye.

Excused: None.
Total 0

Absent or not voting: Ellis.
Total 1

MOTIONS

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 127. Motion carried.

Mr. Speaker appointed the following members:

Representative Anderson, Chairman
Representative Tash
Representative Wyatt

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 148. Motion carried.

Mr. Speaker appointed the following members:

Representative Simpkins, Chairman
Representative Jore
Representative Tropila

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 198. Motion carried.

Mr. Speaker appointed the following members:

Representative Hibbard, Chairman
Representative Rose

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Representative Wennemar

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 206. Motion carried.

Mr. Speaker appointed the following members:

Representative Soft, Chairman
Representative Simpkins
Representative McCann

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 223. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Soft
Representative Barnhart

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 345. Motion carried.

Mr. Speaker appointed the following members:

Representative Orr, Chairman
Representative Molnar
Representative Menahan

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 386. Motion carried.

Mr. Speaker appointed the following members:

Representative Story, Chairman
Representative Taylor
Representative Swanson

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 398. Motion carried.

Mr. Speaker appointed the following members:

Representative H. Hanson, Chairman
Representative Grinde
Representative Cocchiarella

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SJR 13. Motion carried.

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Mr. Speaker appointed the following members:

Representative Keenan, Chairman
Representative Heavy Runner
Representative Vick

HB 200 - Representative Grinde moved the House dissolve the conference committee on HB 200 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 200. Motion carried.

Mr. Speaker appointed the following members:

Representative Ellis, Chairman
Representative Bergman
Representative Cocchiarella

SB 83 - Representative Grinde moved the House dissolve the conference committee on SB 83 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to SB 83. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Kasten
Representative Barnhart

REPORTS OF STANDING COMMITTEES

RULES (Grinde, Chairman):

4/6/95

HB 607, introduced bill, be amended as follows:

1. Page 1, line 18.
Strike: "life"
Insert: "20 years"

And, as amended, do pass. Report adopted.

SB 136, be amended as follows:

1. Title, line 17.
Strike: "ALL"
Following: "MATTERS"
Insert: "AS PROVIDED IN LEGISLATIVE RULES"
2. Title, lines 22 through 24.
Strike: "POLITICAL OR" on line 22
Following: "ACTIVITY" on line 22
Strike: remainder of line 22 through "LAW" on line 24

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3. Page 2, line 17.

Strike: "substantial"

4. Page 3, line 1.

Following: page 2

Insert: "(3) "Gift of substantial value" does not include:

(a) a gift that is not used and that, within 30 days after receipt, is returned to the donor or delivered to a charitable organization or the state and that is not claimed as a charitable contribution for federal income tax purposes;

(b) food and beverages consumed on the occasion when participation in a charitable, civic, or community event bears a relationship to the public officer's or public employee's office or employment or when the officer or employee is in attendance in an official capacity;

(c) educational material directly related to official governmental duties;

(d) an award publicly presented in recognition of public service; or

(e) educational activity that:

(i) does not place or appear to place the recipient under obligation;

(ii) clearly serves the public good; and

(ii) is not lavish or extravagant."

Renumber: subsequent subsections

5. Page 3, lines 3 and 4.

Following: "individual" on line 3

Strike: remainder of line 3 through "children" on line 4

6. Page 4, line 14.

Following: "officers"

Insert: ", legislators,"

Following: "and"

Insert: "state"

7. Page 4, line 15.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsection

8. Page 4, line 25.

Following: "or"

Insert: "(a) disclose or use confidential information acquired in the course of official duties in order to further substantially the individual's personal economic interests;"

Renumber: subsequent subsections

9. Page 5, line 18.

Insert: "(c) In order to determine compliance with this subsection (3), a public officer, legislator, or public employee subject to this subsection (3) shall disclose the amounts received from the two separate public employment positions to the commissioner of political practices."

10. Page 6, lines 4 and 5.

Strike: ":" on line 4 through "(a)" on line 5

11. Page 6, line lines 7 through 9.

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Following: "undertaking" on line 7

Strike: remainder of line 7 through "interests" on line 9

12. Page 6, line 25.

Strike: "JOINT"

13. Page 6, line 26.

Strike: "should"

Insert: "may"

14. Page 6, line 29.

Strike: "shall"

Insert: "may"

Following: "on"

Strike: "the"

Insert: "an"

Following: "issue"

Insert: "on which the legislator has a conflict,"

15. Page 8, line 12.

Strike: "(a)"

16. Page 8, lines 13 through 24.

Strike: "political or" on line 13

Following: "activity" on line 13

Strike: remainder of line 13 through "." on line 24

Insert: ". This subsection does not apply to the preparation of official voter information pamphlets."

17. Page 8, lines 25 and 26.

Strike: "(a)" on line 25

Following: "employee" on line 25

Strike: remainder of line 25 through "exists" on line 26

Insert: "may not participate in a proceeding"

18. Page 8, line 27.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsection

19. Page 9, lines 1 and 2.

Strike: subsection (b) in its entirety

20. Page 12, line 13.

Following: "official"

Strike: " "

Strike: "member of a quasi-judicial board or commission,"

21. Page 12, lines 24 and 25.

Following: "individual" on line 24

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Strike: remainder of line 24 through "family" on line 25

22. Page 12, line 27.

Strike: "and" through "family"

23. Page 12, line 29.

Strike: "or" through "family"

24. Page 12, line 30 through page 13, line 1.

Following: "individual" on line 30

Strike: remainder of line 30 through "family" on line 1

25. Page 13, line 3.

Strike: "(e)" through ";"

Renumber: subsequent subsection

26. Page 13, lines 4 and 5.

Following: "individual" on line 4

Strike: remainder of line 4 through "family" on line 5

27. Page 13, lines 12 and 13.

Strike: subsection (5) in its entirety

28. Page 14, line 25.

Following: "officers"

Insert: ", legislators,"

29. Page 14, line 26.

Following: "officer"

Insert: ", legislator,"

30. Page 15, line 14.

Insert: "(4) Except for records made public in the course of a hearing, a complaint and records obtained or prepared by the commissioner in connection with an investigation or complaint are not open for public inspection. The commissioner's decision issued after a hearing is a public record open to inspection.

(5) The commissioner may adopt rules to carry out the responsibilities and duties assigned by this part."

31. Page 17, line 1.

Following: "practices"

Insert: "under this part"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Simpkins, Chairman):

4/6/95

HR 2, introduced bill, be amended as follows:

1. Page 1, lines 24 and 25.

Following: "anyone" on line 24

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Strike: ", regardless" on line 24 through "orientation," on line 25

And, as amended, do pass. Report adopted.

HJR 30, introduced bill, be amended as follows:

1. Page 2.

Following: line 2

Insert: "BE IT FURTHER RESOLVED, that the Secretary of State is requested to send a copy of this joint resolution to Montana's Congressional Delegates, accompanied by a request that Montana's Congressional Delegates distribute copies of the resolution to their respective colleagues in the United States House of Representatives and in the United States Senate."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Conference committee report #1 adopted:

4/6/95

SB 163, introduced by L. Nelson

Conference committee report #1 adopted:

4/6/95

SB 201, introduced by Burnett

MOTIONS

Representative Grinde moved the rules be suspended to permit placement and consideration of all committee reports on second reading this legislative day. Motion carried.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 537
Report No. 1, April 6, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 537, met and considered:

1. Senate Committee on Business and Industry Amendments to the third reading copy, dated March 9, 1995; and
2. Senate Committee of the Whole Amendments to the third reading copy, dated March 20, 1995.

We recommend that the amendments for the Standing Committee and the amendments for the Committee of the Whole be adopted.

And this FREE Conference Committee report be adopted.

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For the House:

R. Johnson, Chairman
Larson
Keenan

For the Senate:

Hertel, Chairman
Crismore
Eck

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Friday, April 7, 1995. Motion carried.

House adjourned at 3:20 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana
April 7, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative John Johnson. Pledge of Allegiance to the Flag.

Roll call. All members present except Representative Grimes, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-first through seventy-first legislative days, find the same to be correct.

Hayne, Chairman

Mr. Speaker introduced this week's pages:

Alika Schneiter, Seely Lake
Bob Knox, Winifred
Tammy Frisby, Billings
Brandi Tavary, Helena
Ashlea Redding, Big Horn
Brenda Wolery, Turner
Namen Paul, Great Falls
Kari Buhmiller, Whitefish (permanent page)
Jeffrey Standaert, Helena (permanent page)

Honorary Pages

Kacee Tash, Dillon
Michael Lyons, Great Falls
Max Weber, Great Falls

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/7/95

Correctly enrolled: HB 7, HB 8, HB 18, HB 41, HB 121, HB 167, HB 195, HB 197, HB 214, HB 295, HB 305, HB 309, HB 336, HB 338, HB 462, HB 473, HB 478, HB 484, HB 488, HB 490, HB 512, HB 521, HB 585, HB 603, HJR 13.

Examined by the sponsor and found to be correct: HB 7, HB 8, HB 18, HB 41, HB 121, HB 167, HB 195, HB 197, HB 214, HB 295, HB 305, HB 336, HB 462, HB 473, HB 478, HB 484, HB 488, HB 490, HB 512, HB 521, HB 585, HB 603, HJR 13.

Signed by the Speaker at 5:14 p.m., 4/6/95: HB 150, HB 164, HB 186, HB 201, HB 232, HB 240, HB 272, HB 273, HB 286, HB 311, HB 325, HB 347, HB 354, HB 366, HB 380, HB 429, HB 444, HB 530, HB 533, HB 539.

TAXATION (Hibbard, Chairman):

4/6/95

SB 39, be amended as follows:

1. Title, lines 11 and 12.

Strike: "ANY REMAINING" on line 11

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Insert: "THE"

Strike: "AND ANY CARRYOVER" on line 11

Following: "REFUNDABLE" on line 11

Strike: remainder of line 11 through "1998" on line 12

Strike: "AND ANY CARRYOVER"

2. Page 1, line 25.

Strike: "Except" through "the"

Insert: "The"

3. Page 1, lines 26 through 30.

Following: "15-30-147(2)(f)" on line 26

Strike: remainder of line 26 through "if" on line 30

Insert: ". If"

Strike: "and any carryover"

4. Page 2, lines 1 and 2.

Following: "credit" on line 1

Strike: remainder of line 1 through "amount," on line 2

5. Page 3, lines 2 and 3.

Following: "credit" on line 2

Strike: remainder of line 2 through "amounts" on line 3

And, as amended, be concurred in. Report adopted.

SB 257, be amended as follows:

1. Title, lines 4 and 5.

Following: "BY" on line 4

Strike: remainder of line 4 through the second "CARS" on line 5

Insert: "ALLOCATING VALUE BASED UPON MILES AND EQUIVALENT CAR COUNT; USING THE
AVERAGE MILL LEVY APPLIED TO RAILROAD PROPERTY"

2. Title, line 6.

Following: "DATE"

Insert: ", "

Strike: "AND"

3. Title, line 7.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 1, line 14.

Strike: "statewide" through "industrial"

Insert: "mill levy applied to all railroad transportation"

5. Page 1, line 15.

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Following: "property"

Insert: "specified in 15-6-145, except for railroad car company property"

6. Page 1, lines 16 through 23.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsections

7. Page 2.

Following: line 17

Insert: "(5) the total car miles traveled, loaded and unloaded, within and outside of the state during the calendar year preceding the date of filing;"

Renumber: subsequent subsections

8. Page 2, line 26.

Strike: "made on the"

9. Page 2, lines 28 and 29.

Strike: first "average" on line 28 through "miles" on line 29

Insert: "calculated by taking one-third of the ratio of car miles traveled within the state to the total car miles traveled, plus two-thirds of the ratio of equivalent car count to the total number of cars. The equivalent car count"

Following: "company's"

Strike: remainder of line 29 in its entirety

10. Page 2, line 30.

Following: "mileage"

Insert: "for all its cars"

Strike: "the miles" through "car"

Insert: "500 miles per day"

11. Page 3, line 9.

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates December 31, 1997."

And, as amended, be concurred in. Report adopted.

SB 274, be amended as follows:

1. Page 1, line 23.

Strike: "The tax"

Insert: "Taxes"

Following: "individual"

Insert: "pieces of"

Strike: "shall" through "unless,"

Insert: "may be limited or reduced"

2. Page 1, line 24 through page 1, line 27.

Strike: ", THE" on line 24 through "IN" on 27

Insert: ". A change in"

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Strike: "in any class or the tax on property in"

Insert: "within"

3. Page 2, lines 3 and 4.

Strike: "LIMITING" on line 3 through "taxes" on line 4

Insert: "allowing the legislature to limit or reduce property taxes or changes in valuation of property"

4. Page 2, lines 5 and 6.

Strike: "LIMITING" on line 5 through "taxes" on line 6

Insert: "allowing the legislature to limit or reduce property taxes or changes in valuation of property"

And, as amended, be concurred in. Report adopted.

SB 338, be amended as follows:

1. Title, line 5.

Strike: "24"

Insert: "18"

2. Title, line 8.

Following: "DATE"

Insert: ", "

Strike: "AND"

Following: "DATES"

Insert: ", AND A CONTINGENT VOIDNESS PROVISION"

3. Page 7, line 26.

Strike: "24"

Insert: "18"

4. Page 8, line 21.

Strike: "24"

Insert: "18"

5. Page 9, line 9.

Strike: "12"

Insert: "6"

6. Page 9, line 11.

Strike: "24"

Insert: "18"

7. Page 9, line 15.

Strike: "24"

Insert: "18"

8. Page 9, line 27.

Strike: "12"

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Insert: "6"

9. Page 9, line 29.

Strike: "24"

Insert: "18"

10. Page 10, lines 5 and 6.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsection

11. Page 10, line 7.

Strike: "24"

Insert: "18"

12. Page 10, line 19.

Strike: "24"

Insert: "18"

13. Page 10, line 22.

Strike: "subsections"

Insert: "subsection"

Strike: "and (4)(c)(ii)"

14. Page 10, line 24.

Strike: "24"

Insert: "18"

15. Page 11, line 22.

Strike: "12"

Insert: "6"

16. Page 11, line 24.

Following: ":",

Insert: "and"

17. Page 11, lines 27 through 30.

Following: "FUNDS" on line 27

Strike: remainder of line 27 through "GOVERNMENTS" on line 30

18. Page 12, line 8.

Insert: "NEW SECTION. Section 6. Contingent voidness. In order to maintain a balanced budget, because [this act] reduces revenue, it may not be transmitted to the governor unless a corresponding identified reduction in spending is contained in House Bill No. 2. If a corresponding identified reduction in spending is not contained in House Bill No. 2, [this act] is void. "

And, as amended, be concurred in. Report adopted.

SB 358, be amended as follows:

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1. Title, line 10.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 13.

Strike: "2"

Insert: "6"

3. Page 2, lines 16 and 17.

Page 4, lines 24 and 25.

Strike: "(TERMINATES)" through "1991.)"

4. Page 2, line 27.

Following: "cost of"

Strike: "the"

Insert: "each item of"

5. Page 3, line 7.

Strike: "(Terminates" through "1991.)"

6. Page 4, line 30.

Strike: "1997"

Insert: "2001"

7. Page 4.

Following: line 30

Insert: "NEW SECTION. Section 5. Termination -- exception. (1) [Sections 1 through 3] terminate December 31, 1997.

(2) Notwithstanding subsection (1), 15-32-603(3), as numbered by [this act], which reads: "A credit under this section may be claimed by a taxpayer for a business only if the qualifying property is purchased before January 1, 1998.", is deleted in its entirety on December 31, 1997."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 417, be amended as follows:

1. Title, line 16.

Strike: "AN ADVISORY COMMITTEE"

Insert: "A TASK FORCE"

Following: "FUNDING"

Insert: "AND TO EXAMINE ALL ASPECTS OF TAXATION IN MONTANA AND MAKE RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE ON SHORT-TERM AND LONG-TERM TAX POLICY STRATEGIES; APPROPRIATING FUNDING FOR THE TASK FORCE"

2. Title, line 17.

Strike: "AND"

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3. Title, line 19.

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

4. Page 2, line 24.

Strike: "1996"

Insert: "1995"

5. Page 2, line 25.

Strike: "year"

Insert: "years 1996 and"

6. Page 2, line 30.

Strike: "1997"

Insert: "1996"

7. Page 3, lines 8, 9, 14, 15, 17 (twice), 18, 19, 20, 21, 26, 27, 29 (twice), and 30.

Strike: "1996"

Insert: "1995"

8. Page 3, line 11.

Strike: "year"

Insert: "years 1996 and"

9. Page 3, line 12.

Following: "unless the"

Insert: "current"

Strike: "1997"

10. Page 3, line 15.

Following: "If the"

Insert: "current"

Strike: "1997"

11. Page 3, line 16.

Following: "for"

Insert: "the"

Strike: "1997"

12. Page 3, line 17.

Strike: "1997"

Insert: "current"

13. Page 3, line 19.

Strike: "1997"

Insert: "current"

14. Page 3, line 20.

Strike: "1997"

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15. Page 3, line 21.

Strike: "1997"

Insert: "current"

16. Page 4, lines 1, 2, 3, 8, 9, 11 (twice), 12, 13, 14, and 15.

Strike: "1996"

Insert: "1995"

17. Page 4, line 29.

Following: "June of"

Insert: "1996 and"

18. Page 5, line 4.

Following: "December of"

Insert: "1996 and"

19. Page 5, line 5.

Following: "amount for"

Insert: "that"

Strike: "1997"

20. Page 7, lines 12 and 13.

Strike: "Advisory committee"

Insert: "Task force"

Following: "of"

Insert: "taxation and"

Following: "(1)" on line 12

Strike: remainder of line 12 through "review" on line 13

Insert: "There is a Montana tax policy task force to study all aspects of taxation in Montana and to make findings regarding the burden of state and local taxation borne by various segments of the state's economy and by various categories of individual taxpayers. The task force in its study shall consider but not limit itself to:

(a) the existing sources and levels of taxation, with particular attention given to the classification of property and the taxable percentages applied to that property, and an evaluation of the sources and levels of taxation;

(b) the relationship between federal income tax laws and state income tax laws and the impact of federal tax laws on the state;

(c) the relative portion of the total amount of taxes that is collected from each segment of the business community and each category of individual taxpayer;

(d) the impact of state and local taxation on economic development;

(e) the relationship between taxes and the revenue needs of the state and local governments;

(f) the relationship between tax burden, ability to pay, and benefits received from government;

(g) alternative methods of taxation from existing sources as well as new sources of revenue and an evaluation of the alternative methods and new sources; and

(h)"

21. Page 7, lines 17 through 25.

Strike: subsection (2) in its entirety

Insert: "(2) Based on the findings pursuant to the study required under subsection (1), the task force shall develop recommendations, alternatives, or both, for 2-year, 10-year, and 25-year tax policy strategies for Montana.

(3) The task force, in its deliberations, shall solicit the knowledge and advice of economists, tax policy

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experts, representatives of tax reform coalitions, local governments, small business organizations, large industries, agriculture, the Montana chamber of commerce, appropriate state agencies, and the general public."

Renumber: subsequent subsections

22. Page 7, line 26.

Strike: "The committee"

Insert: "In reviewing local government funding, the task force"

23. Page 8, lines 5 through 12.

Strike: subsections (4) through (6) in their entirety

Insert: "(5) The task force is allocated to the department of revenue for administrative purposes only as provided in 2-15-121.

NEW SECTION. Section 4. Membership -- appointment -- vacancies. (1) The task force created by [section 3] is composed of the following members:

(a) eight members appointed by the governor, who are broadly representative of taxpayer groups, business and industry, labor organizations, local government, and consumers of governmental services;

(b) four members of the house of representatives, of which no more than two may be of the same political party, appointed by the speaker of the house; and

(c) four members of the senate, of which no more than two may be of the same political party, appointed by the committee on committees.

(2) Task force members must be appointed and designated no later than July 15, 1995.

(3) The task force shall elect its presiding officer.

(4) A vacancy occurring on the task force must be filled in the same manner as the original appointment.

NEW SECTION. Section 5. Remuneration. (1) Each member of the task force provided for in [section 3], except the legislative members, is entitled to reimbursement for expenses as provided in 2-18-501 through 2-18-503.

(2) Each legislative member of the task force is entitled to compensation as provided in 5-2-301 and 5-2-302, as applicable.

(3) In addition to expenditures referred to in subsections (1) and (2), task force funds may be spent for staff support, contracted services, and other expenses required to fulfill the purpose and needs of the task force.

NEW SECTION. Section 6. Meetings -- report to governor and legislature. (1) The task force provided for in [section 3] shall meet by September 15, 1995, and at the request of the presiding officer thereafter.

(2) The task force shall submit its findings and recommendations to the governor and the legislature on or before October 1, 1996.

NEW SECTION. Section 7. Gifts and grants. The task force provided for in [section 3] may accept payments, contributions, gifts, and grants, in money or otherwise, for the purposes set forth in [section 3]. All payments, monetary contributions, gifts, and grants received by the task force must be deposited in an account in the state special revenue fund provided for in [section 8].

NEW SECTION. Section 8. Special revenue account. There is an account in the state special revenue fund. The account consists of all payments, monetary contributions, gifts, and grants received pursuant to [section 7]."

Renumber: subsequent sections

24. Page 11, line 11.

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Page 12, line 2.
Page 12, line 16.
Page 13, line 5.
Page 13, line 30.
Page 14, line 13.
Page 14, line 23.

Strike: "1998"

Insert: "1997"

25. Page 11, line 12.

Page 11, line 13.
Page 11, line 15.
Page 12, line 3.
Page 12, line 5.
Page 12, line 7.
Page 12, line 17.
Page 12, line 18.
Page 12, line 20.
Page 13, line 6.
Page 13, line 8.
Page 13, line 10.
Page 14, line 1.
Page 14, line 3.
Page 14, line 5.
Page 14, line 14.
Page 14, line 15.
Page 14, line 17.
Page 14, line 24.
Page 14, line 25.
Page 14, line 27.

Strike: "1996"

Insert: "1995"

26. Page 15, line 19.

Insert: "NEW SECTION. Section 16. Appropriation. There is appropriated from the general fund to the department of revenue \$15,000 for the use of the task force provided for in [section 3]."

Renumber: subsequent section

27. Page 15, line 22.

Insert: "NEW SECTION. Section 18. Termination. [Sections 4 through 8] terminate June 30, 1997."

And, as amended, be concurred in. Report adopted.

SB 421, be amended as follows:

1. Title, line 10.

Strike: "DELETING CERTAIN"

Insert: "CHANGING THE"

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2. Page 1.

Following: line 30

Insert: "(2) The legislature's failure to give local governments and local school districts the flexibility to develop alternative sources of revenue will only lead to increases in the tax burden on the already overburdened property taxpayer.

(3) The legislature is the appropriate forum to make the difficult and complex decisions to develop:

(a) a tax system that is fair to property taxpayers; and

(b) a method of providing adequate funding for local government and education."

Renumber: subsequent subsection

3. Page 3.

Following: line 17

Insert: "(3) If the increase in taxable value under subsection (2) does not result in tax revenue equal to the prior year's tax revenue adjusted for inflation, the taxing unit may levy additional mills, not to exceed 2% in additional revenue, to compensate for the difference. For the purposes of this subsection, inflation is measured by the consumer price index for all urban consumers, United States city average, for all items, as published by the bureau of labor statistics of the U.S. department of labor."

Renumber: subsequent subsections

4. Page 4.

Following: line 10

Insert: "(5) The limitation on the amount of taxes levied does not prohibit an increase in the total taxes levied by a taxing unit in order to compensate the taxing unit for any loss in the total amount of nonlevy revenue received in 1994."

Renumber: subsequent subsections

5. Page 5, line 25.

Following: "(i)"

Insert: "the general fund of"

6. Page 5, line 29.

Strike: "AND"

7. Page 5, line 30.

Strike: " _ "

Insert: "; and"

8. Page 5.

Following: line 30

Insert: "(m) rural fire districts organized under Title 7, chapter 33, part 21."

9. Page 6, lines 16 through 19.

Strike: subsections (ii) through (iv) in their entirety

Renumber: subsequent subsections

10. Page 6, line 20.

Following: " ; "

Insert: "and"

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11. Page 6, line 21.

Strike: subsection (vi) in its entirety

Renumber: subsequent subsection

12. Page 7, line 20.

Following: "VALUATION"

Insert: ", for reasons other than those set forth in subsection (2),"

13. Page 7, line 26.

Insert: "(12) School district general fund budgets are subject to the voting requirements in 20-9-308. Property tax increases to fund the nonvoted portion of the general fund budget as calculated in 20-9-308 are not subject to the limitations of this section."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 446
Report No. 1, April 6, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 446, met and considered:

1. Page 3, line 18.

Following: "ADVICE"

Strike: ", DIAGNOSIS, CARE,"

2. Page 3, line 19.

Following: "SERVICES"

Insert: "unless the condition occurred"

And this FREE Conference Committee report be adopted.

For the House:

Orr, Chairman

Kasten

Tuss

For the Senate:

Foster, Chairman

Eck

Miller

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/6/95

HB 19, introduced by Bergsagel

HB 279, introduced by Ohs

HB 514, introduced by DeBruycker

HB 544, introduced by Tuss

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HB 545, introduced by Murdock

HB 552, introduced by Quilici

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/6/95

HB 460, introduced by Quilici

House amendments to Senate bills concurred in:

SB 66, introduced by Lynch

SB 98, introduced by Foster

SB 126, introduced by Beck

SB 138, introduced by Mesaros

SB 143, introduced by Baer

SB 153, introduced by Brooke

SB 250, introduced by L. Nelson

SB 339, introduced by Christiaens

SB 372, introduced by Stang

SB 389, introduced by Tveit

SB 406, introduced by L. Nelson

Senate bills passed and transmitted to the House for concurrence:

4/6/95

SJR 22, introduced by Brooke

SJR 23, introduced by Gage

Free conference committee report #1 adopted:

4/6/95

SB 163, introduced by L. Nelson

SB 201, introduced by Burnett

Representative Grinde moved the House recess until 9:15 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 9:25 a.m. Mr. Speaker in the Chair.

Representative Wennemar excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/7/95

Delivered to the Governor for his approval at 8:15 a.m., 4/7/95: HB 89, HB 111, HB 176, HB 184, HB 194, HB 248, HB 287, HB 301, HB 315, HB 326, HB 340, HB 351, HB 352, HB 356, HB 360, HB 404, HB 405, HB 445, HB 457, HB 466, HB 511, HB 556, HB 564.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

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Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ahner in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Sliter excused at this time.

SB 366 - Representative Holland moved SB 366 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Hagener, Harper, Heavy Runner, Hurdle, Kadas, Larson, McCulloch, Peck, Raney, Ream, Schwinden, Squires, Swanson, Tuss, Wennemar.
Total 25

Voted Absentee: Grimes, Sliter, Ayes; Wennemar, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 382 - Representative Harper moved SB 382, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Brainard, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wyatt.
Total 33

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 65

Voted Absentee: Sliter, No.

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Excused: Grimes, Wennemar.

Total 2

Absent or not voting: None.

Total 0

Representative Wennemar present at this time.

Representative Harper moved SB 382, second reading copy, be amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Brainard, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 35

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 63

Voted Absentee: Sliter, No.

Excused: Grimes.

Total 1

Absent or not voting: Simon.

Total 1

Representative Sliter present at this time.

Representative Kadas moved SB 382, second reading copy, be amended (amendment #3). Amendment #3 failed as follows:

Ayes: Arnott, Barnhart, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wagner, Wennemar.

Total 40

Noes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Clark, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.

Total 58

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Excused: Grimes.

Total 1

Absent or not voting: Wyatt.

Total 1

Representative Story moved SB 382 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 67

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Larson, McCulloch, Menahan, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 31

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Fisher, Story.

Total 2

SB 161 - Representative Story moved SB 161, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE TAX COMMITTEE REPORT DATED APRIL 5, 1995, AS FOLLOWS:

Strip amendments 1 through 6 in their entirety

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Arnott, Brainard.

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Total 2

Excused: Grimes.

Total 1

Absent or not voting: None.

Total 0

Representative Raney moved SB 161, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Brainard, Clark, Cobb, Hagener.

Total 4

Voted Absentee: Grimes, Aye.

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

SB 219 - Representative Ryan moved SB 219 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Denny, Kasten.

Total 2

Voted Absentee: Grimes, Aye.

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Excused: None.
Total 0

Absent or not voting: Cobb, Tuss.
Total 2

SB 274 - Representative Mercer moved consideration of SB 274 be placed below SB 412 on the second reading board. Motion carried.

SB 257 - Representative Story moved SB 257 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 71

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Pavlovich, Peck, Raney, Ream, Rehbein, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar.
Total 28

Voted Absentee: Grimes, Aye.

Excused: None.
Total 0

Absent or not voting: Jore.
Total 1

SB 409 - Representative Barnett moved SB 409 be concurred in.

Representative Elliott moved SB 409, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Fuchs, Galvin, Harper, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, McKee, Menahan, Peck, Raney, Ream, Rose, Ryan, Schwinden, Simon, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Forbes, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

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Total 64

Voted Absentee: Sliter, No.

Excused: Grimes.

Total 1

Absent or not voting: Somerville.

Total 1

Representative Sliter excused at this time.

Representative Barnett moved SB 409 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Ryan, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 56

Noes: Barnhart, Bergsagel, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Squires, Story, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 44

Voted Absentee: Grimes, Sliter, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 424 - Representative Elliott moved consideration of SB 424 be placed below SB 412 on the second reading board. Motion carried.

Representative Tash excused at this time.

SB 412 - Representative Elliott moved SB 412 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden,

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Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Grimes, Sliter, Tash, Ayes.

Excused: None.
Total 0

Absent or not voting: Ream.
Total 1

SB 424 - Representative Elliott moved SB 424 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Hagener, Harper, Harrington, Hayne, Heavy Runner, Herron, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook.
Total 80

Noes: Brainard, Curtiss, Denny, Feland, Fuchs, Green, M. Hanson, Hibbard, Holland, Keenan, Murdock, Simpkins, Taylor, Wagner, Mr. Speaker.
Total 15

Voted Absentee: Grimes, Sliter, Tash, Ayes.

Excused: None.
Total 0

Absent or not voting: Grinde, H.S. Hanson, Mills, L. Smith, Somerville.
Total 5

Speaker Mercer moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ahner moved that the Committee of the Whole report be adopted. Report adopted. (92-4)

Representative Peck moved the House recess until 1:15 p.m. Motion carried.

House recessed at 11:55 a.m.

House reconvened at 1:15 p.m. Mr. Speaker in the Chair.

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Representative Tash present at this time.

Representative Wennemar excused at this time.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ahner in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 274 - Representative Mercer moved SB 274, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE COMMITTEE ON TAXATION COMMITTEE REPORT DATED APRIL 6, 1995, AS FOLLOWS:

Amendment No. 3

Strike: Amendment No. 3 in its entirety

Amendment No. 4

Strike: Amendment No. 4 in its entirety

AND THAT SENATE BILL NO. 274, THIRD READING COPY, BE FURTHER AMENDED AS FOLLOWS:

1. Page 2, lines 3 and 4.

Strike: "LIMITING" on line 3 through "taxes" on line 4

Insert: "allowing the legislature to limit or reduce property valuation or taxes"

2. Page 2, lines 5 and 6.

Strike: "LIMITING" on line 5 through "taxes" on line 6

Insert: "allowing the legislature to limit or reduce property valuation or taxes"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: None.

Total 0

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Voted Absentee: Sliter, Aye.

Excused: Grimes, Wennemar.

Total 2

Absent or not voting: Curtiss, Pavlovich, Simon, Tuss.

Total 4

Representative Mercer moved SB 274, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 81

Noes: Arnott, Bergsagel, Carey, Cobb, Cocchiarella, Denny, Ellingson, Ewer, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Kasten, Nelson, Ream, Swanson, Tuss, Wyatt.

Total 19

Voted Absentee: Grimes, Sliter, Wennemar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 417 - Representative Somerville moved SB 417 be concurred in.

Representative Somerville moved SB 417, second reading copy, be amended as follows (amendment #1):

AMEND HOUSE TAX COMMITTEE REPORT DATED APRIL 6, 1995, AS FOLLOWS:

Strike amendments 4 through 19 in their entirety

Strike amendments 24 and 25 in their entirety

AND THAT SENATE BILL NO. 417, THIRD READING COPY, BE FURTHER AMENDED AS FOLLOWS:

1. Page 2, line 24.

Strike: "1996"

Insert: "1995"

2. Page 2, line 25.

Strike: "1997"

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Insert: "1996"

3. Page 2, lines 26 and 27.

Strike: "1998"

Insert: "1997"

4. Page 2, line 30.

Page 3, line 1, 11, 12, 15, 16, 17, 19, 20, 21.

Page 4, line 29.

Page 5, lines 4, 5, and 9.

Page 7, lines 6 and 7.

Strike: "1997"

Insert: "1996"

5. Page 3, lines 1, 23, 24, 27, 28, 29.

Page 4, lines 1, 2, and 3.

Page 5, lines 8, 10, 13, 14, and 18.

Strike: "1998"

Insert: "1997"

6. Page 3, line 1.

Page 4, lines 5, 6, 9, 10, 11, 13, 14, 15.

Page 5, lines 17, 19, 22, 23, 27.

Strike: "1999"

Insert: "1998"

7. Page 3, lines 8, 9, 14, 15, 17, 18, 19, 20, 21, 26, 27, 29 (twice) and 30.

Page 4, lines 1, 2, 3, 8, 9, 11 (twice), 12, 13, 14, and 15.

Strike: "1996"

Insert: "1995"

8. Page 5, lines 26 and 30.

Page 6, lines 7 and 11.

Strike: "2000"

Insert: "1999"

9. Page 5, line 30.

Strike: "2008"

Insert: "2007"

10. Page 6, lines 4 and 12.

Strike: "2001"

Insert: "2000"

11. Page 6, lines 4 and 20.

Strike: "2009"

Insert: "2008"

12. Page 6, line 13.

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Strike: "2002"
Insert: "2001"

13. Page 6, line 14.
Strike: "2003"
Insert: "2002"

14. Page 6, line 15.
Strike: "2004"
Insert: "2003"

15. Page 6, line 16.
Strike: "2005"
Insert: "2004"

16. Page 6, line 17.
Strike: "2006"
Insert: "2005"

17. Page 6, line 18.
Strike: "2007"
Insert: "2006"

18. Page 6, line 19.
Strike: "2008"
Insert: "2007"

19. Page 8, line 26.
Page 8, line 27.
Strike: "1995"
Insert: "1994"

20. Page 9, line 2.
Strike: "1999"
Insert: "1998"

21. Page 9, lines 7 and 11.
Strike: "2000"
Insert: "1999"

22. Page 9, lines 7 and 20.
Strike: "2009"
Insert: "2008"

23. Page 9, line 12.
Strike: "2001"
Insert: "2000"

24. Page 9, line 13.

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Strike: "2002"
Insert: "2001"

25. Page 9, line 14.
Strike: "2003"
Insert: "2002"

26. Page 9, line 15.
Strike: "2004"
Insert: "2003"

27. Page 9, line 16.
Strike: "2005"
Insert: "2004"

28. Page 9, line 17.
Strike: "2006"
Insert: "2005"

29. Page 9, line 18.
Strike: "2007"
Insert: "2006"

30. Page 9, line 19.
Strike: "2008"
Insert: "2007"

31. Page 11, line 11.
Page 12, lines 2 and 16.
Page 13, lines 5 and 30.
Page 14, line 23.
Strike: "1998"
Insert: "1997"

32. Page 11, lines 12, 13, and 15.
Page 12, lines 3, 5, 7, 17, 18, and 20.
Page 13, lines 6, 8, and 10.
Page 14, lines 1, 3, 5, 14, 15, 17, 24, 25, and 27.
Strike: "1996"
Insert: "1995"

33. Page 11, line 12.
Page 12, lines 4 and 17.
Page 13, line 7.
Page 14, lines 2, 14, and 24.
Strike: "1999"
Insert: "1998"

34. Page 11, line 14.

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Page 12, lines 6 and 19.

Page 13, line 9.

Page 14, line 4, 16, and 25.

Strike: "2000"

Insert: "1999"

35. Page 11, line 14.

Page 12, lines 6 and 19.

Page 13, line 9.

Page 14, lines 4, 16, and 26.

Strike: "2009"

Insert: "2008"

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Ream, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wiseman, Zook, Mr. Speaker.
Total 75

Noes: Carey, Cocchiarella, Galvin, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kitzenberg, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schwinden, Shea, Tuss, Wyatt.
Total 22

Voted Absentee: Sliter, Aye.

Excused: Grimes, Wennemar.
Total 2

Absent or not voting: Wells.
Total 1

Representative Raney moved SB 417, second reading copy, be further amended (amendment #2). Amendment #2 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Fuchs, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wyatt.
Total 35

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 63

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Voted Absentee: Sliter, No.

Excused: Grimes, Wennemar.

Total 2

Absent or not voting: None.

Total 0

Representative Cobb moved SB 417, second reading copy, be further amended as follows (amendment #3):

1. Page 15, line 22.

Insert: "NEW SECTION. Section 19. Coordination. If House Bill No. 497 is not passed and approved, then [this act] is void."

Amendment #3 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Denny, Fisher, Molnar, Ream, Rehbein, S. Smith.

Total 6

Voted Absentee: Sliter, Aye.

Excused: Grimes, Wennemar.

Total 2

Absent or not voting: McCann.

Total 1

Representative Elliott moved SB 417, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wyatt.

Total 33

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo,

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McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 62

Excused: Grimes, Sliter, Wennemar.
Total 3

Absent or not voting: Kottel, Trexler.
Total 2

Representative Swanson moved SB 417, second reading copy, be further amended (amendment #5). Amendment #5 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wyatt.
Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 63

Excused: Grimes, Sliter, Wennemar.
Total 3

Absent or not voting: None.
Total 0

Representative Elliott moved SB 417, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Tropila, Tuss, Wyatt.
Total 31

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 63

Excused: Grimes, Sliter, Wennemar.
Total 3

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Absent or not voting: Menahan, Ryan, Swanson.

Total 3

Representative Fisher excused at this time.

Representative Elliott moved SB 417, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McGee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wyatt.

Total 34

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Voted Absentee: Fisher, No.

Excused: Grimes, Sliter, Wennemar.

Total 3

Absent or not voting: Ellingson.

Total 1

Representative Somerville moved SB 417, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kitzenberg, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Swanson, Wennemar.

Total 28

Voted Absentee: Fisher, Grimes, Sliter, Ayes; Wennemar, No.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 421 - Representative Grinde moved consideration of SB 421 be placed at the top of the second reading board.
Motion carried.

Representative Rose excused at this time.

Representative Ellis moved SB 421 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Fisher, Forbes, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Rose, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Menahan, Ohs, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, L. Smith, Squires, Swanson, Tropila, Wennemar.

Total 31

Voted Absentee: Fisher, Rose, Sliter, Ayes; Wennemar, No.

Excused: Grimes.

Total 1

Absent or not voting: Feland, Fuchs, Hayne.

Total 3

Representative Arnott excused at this time.

SB 338 - Representative Devaney moved SB 338 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Bergsagel, Brainard, Carey, Ellingson, Elliott, Ewer, Harper, Harrington, Hurdle, Kadas, Kottel, Larson, Pavlovich, Ream, Tropila, Tuss.

Total 16

Voted Absentee: Arnott, Fisher, Grimes, Rose, Sliter, Wennemar, Ayes.

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Excused: None.

Total 0

Absent or not voting: Barnhart, Squires.

Total 2

SB 358 - Representative Ream moved SB 358 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Curtiss, Elliott, McCann, Murdock, Orr, Wagner.

Total 7

Voted Absentee: Arnott, Fisher, Grimes, Rose, Sliter, Wennemar, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 39 - Representative Hibbard moved SB 39 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Bergsagel, DeBruycker, Heavy Runner, Kadas, Marshall, McCann, Peck, Rehbein, Schwinden, Story, Trexler.

Total 11

Voted Absentee: Arnott, Fisher, Grimes, Rose, Sliter, Wennemar, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ahner moved that the Committee of the Whole report be adopted. Report adopted. (72-19)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 158 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Jore, McCulloch, Orr.
Total 3

Voted Absentee: Fisher, Rose, Sliter, Wennemar, Ayes.

Excused: Arnott, Grimes.
Total 2

Absent or not voting: Cobb, Martinez.
Total 2

SB 55 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Bergsagel, Boharski, Brainard, DeBruycker, Denny, Devaney, Feland, Green, Hayne, Herron, R. Johnson, Jore, Kasten, Keenan, Marshall, McCann, McGee, Orr, Rehbein, L. Smith, S. Smith, Tuss.
Total 22

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Voted Absentee: Fisher, Rose, Sliter, Wennemar, Ayes.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Cobb.

Total 1

SJR 19 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, R. Johnson, Keenan, Kitzenberg, Knox, Larson, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bergsagel, Boharski, Devaney, Elliott, Feland, Green, Hagener, Hayne, J. Johnson, Jore, Kadas, Kasten, Kottel, Marshall, McCann, Murdock, Orr, Schwinden, Sliter, L. Smith.

Total 20

Voted Absentee: Fisher, Rose, Wennemar, Ayes; Sliter, No.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Cobb, Martinez.

Total 2

SB 226 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bohlinger, Carey, Clark, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Bergman, Bergsagel, Boharski, Brainard, Curtiss, DeBruycker, Denny, Feland, Fisher, Green, Herron, Jore, Kasten, Molnar, Orr, Rehbein, Story, Taylor, Vick, Wagner.

Total 20

Voted Absentee: Rose, Sliter, Wennemar, Ayes; Fisher, No.

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Excused: Arnott, Grimes.

Total 2

Absent or not voting: Barnhart, Cobb.

Total 2

HB 574 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Fisher, Forbes, Fuchs, Grady, Green, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Schwinden, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wiseman, Zook, Mr. Speaker.

Total 61

Noes: Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Feland, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Larson, Martinez, McCann, McCulloch, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Shea, Squires, Swanson, Wells, Wennemar, Wyatt.

Total 32

Voted Absentee: Fisher, Rose, Sliter, Ayes; Wennemar, No.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Barnhart, Brainard, Grinde, S. Smith, Tuss.

Total 5

SB 201, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 75

Noes: Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Harper, Harrington, Heavy Runner, Hurdle, Jore, Kadas, McCulloch, Quilici, Raney, Ream, Rehbein, Squires, Tuss, Wennemar, Wyatt.

Total 21

Voted Absentee: Fisher, Rose, Sliter, Ayes; Wennemar, No.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Barnhart, Grinde.

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Total 2

SB 357 concurred in as follows:

Ayes: Ahner, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Masolo, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Anderson, Bergsagel, Boharski, Curtiss, Devaney, Green, M. Hanson, Holland, Jore, Kasten, Keenan, Marshall, Martinez, McCann, Mills, Murdock, Orr, Peck, Raney, Rehbein, Sliter, S. Smith, Soft, Somerville, Story, Taylor, Trexler, Wagner.

Total 28

Voted Absentee: Fisher, Rose, Wennemar, Ayes; Sliter, No.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Barnett, Barnhart, Vick.

Total 3

SB 323 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 64

Noes: Bergsagel, Brainard, Carey, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Menahan, Molnar, Murdock, Pavlovich, Raney, Ream, Ryan, Schwinden, Simon, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Voted Absentee: Fisher, Rose, Sliter, Ayes; Wennemar, No.

Excused: Arnott, Grimes.

Total 2

Absent or not voting: Barnhart.

Total 1

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MOTIONS

HB 308 - Representative Grinde moved the House dissolve the conference committee on HB 308 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 308. Motion carried.

Mr. Speaker appointed the following members:

Representative Wagner, Chairman
Representative Somerville
Representative Ewer

HB 418 - Representative Grinde moved the House dissolve the conference committee on HB 418 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 418. Motion carried.

Mr. Speaker appointed the following members:

Representative Feland, Chairman
Representative Devaney
Representative Ream

SB 292 - Representative Grinde moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 292. Motion carried.

Mr. Speaker appointed the following members:

Representative Grimes, Chairman
Representative Peck
Representative McGee

SB 346 - Representative Grinde moved the House dissolve the conference committee on SB 346 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to SB 346. Motion carried.

Mr. Speaker appointed the following members:

Representative Knox, Chairman
Representative Ohs
Representative Shea

SB 362 - Representative Grinde moved the House dissolve the conference committee on SB 362 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to SB 362. Motion carried.

Mr. Speaker appointed the following members:

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Representative Tash, Chairman
Representative Sliter
Representative Pavlovich

SB 357 - Representative Quilici moved he be allowed to change his vote on SB 357, third reading, from nay to aye. Motion carried.

SB 323 - Representative Kitzenberg moved he be allowed to change his vote on SB 323, third reading, from aye to nay. Motion carried.

SB 39 - Representative Grady moved he be allowed to change his vote on SB 39, second reading, from not voting to aye. Motion carried.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 68
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 68 met and considered House Bill 68 and recommend that House Bill 68 (reference copy -- salmon) be amended as follows:

1. Page 2, line 30 through page 3, line 1.
Following: "and"
Strike: remainder of line 30 through "1997," on page 3, line 1.

We recommend that the amendment considered above to House Bill 68 be acceded to by Senate.

And this Free Conference Committee report be adopted.

For the House:
Herron, Chairman
Sliter
Schwinden

For the Senate:
Benedict, Chairman
Baer
Wilson

Free Conference Committee
on House Bill 200
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 200, met and recommend as follows:

1. Page 13, line 16.
Strike: "AND"
Insert: ". There is no fee for the initial application. Any subsequent application"

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2. Page 13, line 30.
Strike: "OCTOBER"
Insert: "July"

3. Page 28, lines 5 and 6.
Following: "4"
Strike: remainder of line 5 and line 6 in their entirety
Insert: "and 6 are effective July 1, 1995."
(3) [Sections 7 through 11, 13 through 20, 22, and 23] are effective October 1, 1995."

And this FREE Conference Committee report be adopted.

For the House:
Ellis, Chairman
Bergman
Cocchiarella

For the Senate:
Benedict, Chairman
Harp
Forrester

Conference Committee
on House Bill 358
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 358, met and considered House Bill 358 and recommend that House Bill 358 (reference copy -- salmon) be amended as follows:

1. Page 2, line 30.
Strike: "(2)(A)"

We recommend that the amendment considered above to House Bill 358 be acceded to by the Senate.

And this Conference Committee report be adopted.

For the House:
Anderson, Chairman
Ryan
Trexler

For the Senate:
Beck, Chairman
Hargrove
Eck

Free Conference Committee
on Senate Bill 83
Report No. 1, April 7, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 83, met and considered:

1. Title, line 8.
Following: "15-60-102,"
Insert: "15-60-210,"

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2. Page 2, line 28.

Following: "PROGRAM"

Insert: "and the cost of administering this section"

3. Page 7, line 25.

Strike: "21%"

Insert: "22%"

4. Page 7, line 30.

Following: "planning₁"

Insert: "provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking,"

5. Page 8, line 4.

Following: "ACT"

Strike: " ; "

Insert: ". Any cash balance that is unspent at the end of each fiscal year must be deposited in the general fund."

6. Page 8.

Strike: lines 19 through 22 in their entirety.

7. Page 8, line 23.

Strike: "(G)"

Insert: "(f)"

8. Page 9, line 3.

Strike: "21%"

Insert: "22%"

9. Page 9, line 8.

Following: "planning₁"

Insert: "provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking,"

10. Page 9, line 12.

Following: "ACT"

Strike: " ; "

Insert: ". Any cash balance that is unspent at the end of each fiscal year must be deposited in the general fund."

11. Page 9.

Strike: lines 27 through 30 in their entirety.

12. Page 10, line 1.

Strike: "(G)"

Insert: "(f)"

13. Page 12, following line 5.

Insert: "Section 9. Section 15-60-210, MCA, is amended to read:

"15-60-210. Disposition of fee — ~~nursing facility account~~. (1) All proceeds from the collection of utilization

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fees, including penalties and interest, must, in accordance with the provisions of 15-1-501(6), be deposited in the nursing facility state special revenue account established in subsection (2) general fund.

~~(2) There is a nursing facility account in the state special revenue fund. The purpose of the account is to provide a continuing source of revenue for nursing facility reimbursements as appropriated by the legislature."~~

Renumber: subsequent sections

14. Page 16, line 22.

Strike: "18"

Insert: "19"

15. Page 18, line 18.

Strike: "19"

Insert: "20"

16. Page 18, line 30.

Strike: "19"

Insert: "20"

17. Page 50, line 30.

Strike: "35%"

Insert: "26.25%"

18. Page 51, line 3.

Strike: "36.25%"

Insert: "54.55%"

19. Page 63, line 9.

Following: "COORDINATION."

Insert: "(1)"

20. Page 63.

Following: line 11

Insert: "(2) If House Bill No. 248 is passed and approved and if it includes an amendment to 61-5-121 that changes the percentage of driver's license fee receipts to be distributed to the state traffic education account or to the general fund, then the amendments to 61-5-121 contained in House Bill No. 248 are void and are superseded by the amendments to 61-5-121 contained in [this act]."

21. Page 63, lines 16 and 18.

Strike: "11"

Insert: "12"

22. Page 63, line 19.

Strike: "18"

Insert: "19"

Insert: "19"

Insert: "20"

23. Page 63, line 20.

Strike: "18"

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Insert: "19"

24. Page 63, line 21.

Strike: "19"

Insert: "20"

25. Page 63, line 23.

Strike: "80"

Insert: "81"

And that this Free Conference Committee report be adopted.

For the Senate:

Grosfield, Chairman
Swysgood
Jacobson

For the House:

R. Johnson, Chairman
Kasten
Barnhart

Conference Committee
on Senate Bill 229
Report No. 1, April 6, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 229, met and considered:

House Committee on Judiciary Amendments to the third reading copy, dated March 14, 1995.

We recommend that SB 229 (reference copy - salmon) be amended as follows:

1. Page 1, line 13.

Following: "KNOWINGLY"

Insert: "knowingly"

2. Page 1, line 14.

Strike: "WHEN THE PERSON KNOWS"

Strike: "IT"

And that this Conference Committee report be adopted.

For the Senate:

Hargrove, Chairman
Benedict
Halligan

For the House:

Curtiss, Chairman
Soft
Wyatt

Conference Committee
on Senate Bill 345
Report No. 1, April 7, 1995

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Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 345, met and considered:

1. Title, line 12.

Following: "~~CORRECTIONS~~"

Insert: ", WITH THE EXCEPTION OF JUVENILE CORRECTIONS PROGRAMS; TRANSFERRING
JUVENILE CORRECTIONS PROGRAMS TO THE DEPARTMENT OF CORRECTIONS"

2. Title, page 2, line 8.

Following: "~~41-3-1103,~~"

Insert: "41-3-1103,"

3. Title, page 2, line 23.

Following: "~~52-1-101,~~"

Insert: "52-1-101,"

Following: "~~52-1-103,~~"

Insert: "52-1-103,"

4. Page 3, lines 21 and 34.

Strike: "~~565~~"

Insert: "568"

5. Page 3, line 33.

Following: "~~corrections~~"

Insert: ", except juvenile corrections division programs, which are transferred to the department of corrections"

6. Page 4, line 2.

Following: "to:"

Insert: ":",

7. Page 4, line 3.

Following: "~~(a)~~"

Insert: "(a)"

8. Page 4, line 4.

Following: "~~;-or~~"

Insert: "; or"

9. Page 4, line 6.

Following: "~~appropriate~~"

Insert: "(b) the \"department of corrections\", \"department\" (of corrections), \"director of corrections\", or \"director\"
(of corrections), as appropriate"

10. Page 4, line 31.

Strike: "~~565~~"

Insert: "568"

11. Page 5, line 18 and 29.

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Strike: "565"

Insert: "568"

12. Page 44, lines 11 and 12.

Following: "corrections" on line 11

Strike: remainder of line 11 through "SERVICES" on line 12

Insert: "corrections"

13. Page 51, line 13.

Following: "family"

Insert: "the department of corrections or"

14. Page 122, line 16.

Insert: "Section 184. Section 41-3-1103, MCA, is amended to read:

"41-3-1103. Powers and duties of department. (1) The department shall:

(a) administer all state and federal funds allocated to the department for youth foster homes, youth group homes, and child-care agencies for youth in need of care, ~~youth in need of supervision, and delinquent youth~~, as defined in 41-5-103;

(b) exercise licensing authority over all youth foster homes, youth group homes, and child-care agencies;

(c) collect and disseminate information relating to youth in need of care, ~~youth in need of supervision, and delinquent youth~~;

(d) provide for training of program personnel delivering services;

(e) in cooperation with youth care facility providers, develop and implement standards for youth care facilities;

(f) maintain adequate data on placements it funds in order to keep the legislature properly informed of the following:

(i) the ~~breakdown number~~ number of youth in need of care, ~~youth in need of supervision, and delinquent youth by category~~ in out-of-home care facilities;

(ii) the cost per facility for services rendered;

(iii) the type and level of care of services provided by each facility;

(iv) a profile of out-of-home care placements by level of care; and

(v) a profile of public institutional placements; and

(g) administer all funds allocated to the department for residential alcohol and drug abuse treatment for indigent youths in need of care, indigent youths in need of supervision, and indigent delinquent youths who require treatment.

(2) The department may:

(a) enter into contracts with nonprofit corporations or associations or private organizations to provide substitute care for youth in need of care, ~~youth in need of supervision, and delinquent youth~~ in youth care facilities;

(b) accept gifts, grants, and donations of money and property from public and private sources to initiate and maintain community-based services to youth;

(c) adopt rules to carry out the administration and purposes of this part.

(3) The department shall pay for room, board, clothing, personal needs, transportation, and treatment in youth foster care homes and youth group homes for youths committed to the department who need to be placed in the facilities. Payments for the clothing of a child placed in a youth foster home must be provided to the extent the child needs a basic wardrobe or has a special clothing need. Payments under this subsection may not exceed appropriations for the purposes of this subsection."

Renumber: subsequent sections

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15. Page 122, lines 18 and 19.

Following: "corrections" on line 18

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

16. Page 122, lines 21 and 25.

Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

17. Page 122, line 33.

Following: "corrections"

Insert: "or the department of corrections"

Following: "placement"

Insert: "making the placement"

18. Page 123, line 3.

Following: "corrections"

Insert: "or the department of corrections"

19. Page 123, line 19.

Following: "corrections"

Insert: "and the department of corrections"

20. Page 123, line 21.

Strike: "IS"

Insert: "are"

21. Page 124, lines 24 and 25.

Following: "corrections" on line 24

Strike: remainder of line 24 through "SERVICES" on line 25

Insert: "corrections"

Strike: "2-15-2201"

Insert: "2-15-2301"

22. Page 158, line 25.

Strike: "OR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

23. Page 178, line 34.

Following: "services"

Strike: "OR THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

24. Page 219, line 15.

Insert: "Section 333. Section 52-1-101, MCA, is amended to read:

"52-1-101. Purpose. It is the public policy of the legislature to reduce duplication and fragmentation of services to youth, families, and senior citizens by creating a department that shall develop and maintain consolidated programs and services, except youth correctional services, within available resources, and a planned continuum of services to:

(1) provide protective services to ensure the health, welfare, and safety of children and adults who are in

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danger of abuse, neglect, or exploitation within communities; and

~~(2) provide for the care, protection, and mental and physical development of youth alleged to be youth in need of supervision or delinquent youth who are referred or committed to the department; and~~

~~(3)(2) provide supportive services to enable senior citizens to maintain their independence."~~

Renumber: subsequent sections

25. Page 221, line 6.

Insert: "Section 335. Section 52-1-103, MCA, is amended to read:

"52-1-103. Powers and duties of department. The department shall:

(1) administer and supervise all forms of child and adult protective services;

(2) act as the lead agency in coordinating and planning services to children with multiagency service needs;

~~(3) provide funding for and place youth alleged or adjudicated to be delinquent or in need of supervision who are referred or committed to the department;~~

~~(4)(3) provide the following functions, as necessary, for youth in need of care:~~

~~(a) intake, investigation, case management, and client supervision;~~

~~(b) placement in youth care facilities;~~

~~(c) contracting for necessary services;~~

~~(d) protective services day care; and~~

~~(e) adoption;~~

~~(5) administer youth correctional facilities;~~

~~(6) provide supervision, care, and control of youth released from a state youth correctional facility;~~

~~(7)(4) license youth care facilities, child-placing agencies, day-care facilities, community homes for developmentally disabled persons, community homes for severely disabled persons, and adult foster care facilities;~~

~~(8)(5) act as lead agency in implementing and coordinating child-care programs and services under the Montana Child Care Act;~~

~~(9)(6) administer the interstate compacts compact for children and delinquent youth;~~

~~(10)(7) (a) administer child abuse prevention services funded through child abuse grants and the Montana children's trust fund provided for in Title 41, chapter 3, part 7; and~~

~~(b) administer elder abuse prevention services;~~

~~(11)(8) (a) make a written evaluation of each plan developed by the local family services advisory councils, as provided in 52-1-203, indicating those portions of each plan that will be implemented by the department, those portions that will not be implemented, and the reasons for not implementing those portions;~~

~~(b) develop a statewide youth services and resources plan that takes into consideration local needs as reflected in plans developed by the local family services advisory councils;~~

~~(12)(9) administer services to the aged;~~

~~(13)(10) provide consultant services to:~~

~~(a) facilities providing care for needy, indigent, handicapped, or dependent adults; and~~

~~(b) youth care facilities;~~

~~(14) utilize at maximum efficiency the resources of state government in a coordinated effort to:~~

~~(a) provide for children in need of temporary protection or correctional services; and~~

~~(b) coordinate and apply the principles of modern institutional administration to the institutions in the department;~~

~~(15) subject to the functions of the department of administration, lease or purchase lands for use by institutions in the department and classify those lands to determine which are of such character as to be most profitably used for agricultural purposes, taking into consideration:~~

~~(a) the needs of all institutions in the department for the food products that can be grown or produced on the lands; and~~

~~(b) the relative value of agricultural programs in the treatment or rehabilitation of the persons confined~~

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~~in the institutions in the department;~~

~~(16)(11)~~ utilize the staff and services of other state agencies and units of the Montana university system, within their respective statutory functions, to carry out its functions under this title;

~~(17) propose programs with specific goals and objectives to the legislature to meet the projected long range needs of institutions in the department, including programs and facilities for the diagnosis, treatment, care, and aftercare of persons placed in institutions in the department;~~

~~(18)(12)~~ contract, as necessary, with the county board of welfare for administration of child and adult protection services for that county; and

~~(19)(13)~~ adopt rules necessary to carry out the purposes of 41-3-1126, 41-5-527 through 41-5-529, and this chapter."

Renumber: subsequent sections

26. Page 224, line 4.

Strike: "AND"

27. Page 224, line 5.

Following: "and"

Insert: "; and"

28. Page 224, line 6.

Following: "corrections"

Insert: "(h) the department of corrections"

29. Page 238, lines 11, 22, and 30.

Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

30. Page 239, lines 5 and 6.

Following: "corrections" on line 5

Strike: remainder of line 5 through "SERVICES" on line 6

Insert: "corrections"

31. Page 239, line 9.

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

32. Page 239, lines 14 and 15.

Following: "corrections" on line 14

Strike: remainder of line 14 through "SERVICES" on line 15

Insert: "corrections"

33. Page 239, lines 23 and 24.

Following: "corrections" on line 23

Strike: remainder of line 23 through "SERVICES" on line 24

Insert: "corrections"

34. Page 239, line 31.

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Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

35. Page 240, line 7.

Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

36. Page 240, lines 9 and 10.

Following: "corrections" on line 9

Strike: remainder of line 9 through "SERVICES" on line 10

Insert: "corrections"

37. Page 240, line 12.

Strike: "AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

38. Page 240, line 17.

Strike: "AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

39. Page 240, line 20.

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

40. Page 240, line 24.

Strike: "AND THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES"

41. Page 240, lines 29 and 30.

Following: "services" on line 29

Strike: remainder of line 29 through "SERVICES" on line 30

42. Page 240, lines 33 and 34.

Following: "corrections" on line 33

Strike: remainder of line 33 through "SERVICES" on line 34

Insert: "corrections"

43. Page 241, lines 11 and 12.

Following: "corrections" on line 11

Strike: remainder of line 11 through "SERVICES" on line 12

Insert: "corrections"

44. Page 241, line 14.

Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

45. Page 241, lines 18 and 19.

Following: "corrections" on line 18

Strike: remainder of line 18 through "SERVICES" on line 19

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Insert: "corrections"

46. Page 241, lines 32 and 33.

Following: "corrections" on line 32

Strike: remainder of line 32 through "SERVICES" on line 33

Insert: "corrections"

47. Page 242, line 10.

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

48. Page 242, line 22.

Following: "corrections"

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

49. Page 242, line 30.

Strike: "PUBLIC HEALTH AND HUMAN SERVICES"

Insert: "corrections"

50. Page 243, lines 7 and 8.

Following: "corrections" on line 7

Strike: remainder of line 7 through "SERVICES" on line 8

Insert: "corrections"

51. Page 246, line 1.

Following: "to:"

Insert: ":"

52. Page 246, line 2.

Following: "(1)"

Insert: "(1)"

53. Page 246, line 3.

Following: "youth"

Insert: "and youth"

Following: "and"

Strike: "and"

Insert: "; and"

54. Page 246, line 11.

Following: line 10

Insert: "(2) provide for the care, protection, and mental and physical development of youth alleged to be youth in need of supervision or delinquent youth who are referred or committed to the department."

55. Page 246, line 13.

Following: "youth"

Insert: "and youth"

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56. Page 247, line 13.

Following: line 12

Insert: "(3) Youth correctional services consist of the following institutional components to diagnose, care for, train, educate, and rehabilitate youth pursuant to Title 52, chapter 5:

- (a) Mountain View school;
- (b) Pine Hills school; and
- (c) any other institution that provides care and services for delinquent youth."

Renumber: subsequent subsection

57. Page 247, line 17.

Following: "~~(1)~~"

Insert: "(1)"

58. Page 247, line 18.

Strike: "~~(1)~~"

Insert: "(a)"

Following: "~~and~~"

Insert: "rules necessary to carry out the purposes of 41-5-527 through 41-5-529 and"

Renumber: subsequent subsections

59. Page 248, line 6.

Following: "÷"

Strike: "÷"

Insert: "÷"

60. Page 248, line 24.

Following: line 23

Insert: "(g) administer all state and federal funds allocated to the department for youth in need of supervision and delinquent youth, as defined in 41-5-103;

(h) collect and disseminate information relating to youth in need of supervision and delinquent youth;

(i) maintain adequate data on placements that it funds in order to keep the legislature properly informed of the specific information, by category, related to youth in need of supervision and delinquent youth in out-of-home care facilities;

(j) provide funding for and place youth who are alleged or adjudicated to be delinquent or in need of supervision and who are referred or committed to the department;

(k) administer youth correctional facilities;

(l) provide supervision, care, and control of youth released from a state youth correctional facility; and

(m) use to maximum efficiency the resources of state government in a coordinated effort to:

(i) provide for children in need of temporary protection or correctional services; and

(ii) coordinate and apply the principles of modern institutional administration to the institutions in the department.

(2) The department of corrections may enter into contracts with nonprofit corporations or associations or private organizations to provide substitute care for youth in need of supervision and delinquent youth in youth care facilities."

61. Page 249, line 11.

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Strike: subsection (a) in its entirety
Renumber: subsequent subsections

62. Page 249, lines 20 through 24.
Strike: subsection (a) in its entirety
Renumber: subsequent subsections

63. Page 353, lines 9 and 10.
Strike: "395 THROUGH 398"
Insert: "398 through 401"

64. Page 353, line 11.
Strike: "395 THROUGH 398"
Insert: "398 through 401"

And that this Conference Committee report be adopted.

For the Senate:

Swysgood, Chairman
Sprague
Waterman

For the House:

Orr, Chairman
Molnar
Menahan

Conference Committee
on Senate Bill 352
Report No. 1, April 7, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 352, met and considered:

1. Page 3, line 7.
Strike: "(A)"

2. Page 3, line 9.
Following: "THEN"
Insert: ": (a)"
Strike: "VOID AND"
Insert: "amended to read:

"87-3-130. Taking of wildlife to protect persons or livestock. (1) ~~Nothing in this~~ This chapter may not be construed to impose, by implication or otherwise, criminal liability for the taking of wildlife protected by this chapter if ~~such~~ the wildlife is molesting, assaulting, killing, or threatening to kill any person or livestock. Any person who so takes any wildlife protected by this chapter shall notify the department within 72 hours.

(2) A person may not intentionally provide supplemental feed to game animals in a manner that results in an artificial concentration of game animals that may potentially contribute to the transmission of disease. A person who violates this subsection is guilty of a misdemeanor and is subject to the penalty provided in 87-1-102(1). This subsection does not apply to supplemental feeding activities conducted by the department for disease control purposes. (b)"

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3. Page 3, lines 22 and 23.

Following: "TO" on line 22

Strike: remainder of line 22 through "CARCASSES" on line 23

Insert: "notify the department that a taking has occurred"

4. Page 3, line 29.

Following: "87-1-102(1)."

Insert: "This subsection does not apply to supplemental feeding activities conducted by the department for disease control purposes."

5. Page 3, line 30.

Strike: "(B)"

Insert: "(3)"

And that this Conference Committee report be adopted.

For the Senate:

Grosfield, Chairman

Mesaros

Forrester

For the House:

Anderson, Chairman

Fuchs

Swanson

Conference Committee
on Senate Bill 361
Report No. 1, April 6, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 361, met and considered:

1. Title, lines 6 and 7.

Strike: "REQUIRING" on line 6 through "TRAINING;" on line 7

2. Page 2, line 19.

Following: "and"

Insert: "and"

3. Page 2, line 21.

Strike: ";AND"

Insert: "."

4. Page 2, lines 22 through 25.

Strike: subsection (d) in its entirety

And that this Conference Committee report be adopted.

For the Senate:

Mohl, Chairman

For the House:

M. Hanson, Chairman

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Cole
Weldon

Schwinden
Barnett

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/7/95

HB 298, introduced by Galvin

House bills concurred in and returned to the House: 4/7/95

HB 17, introduced by Wiseman

HB 577, introduced by Kadas

HB 578, introduced by R. Johnson

HB 594, introduced by Bergsagel

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/7/95

HB 5, introduced by Bergsagel

HB 9, introduced by Bergsagel

HB 15, introduced by Wiseman

HB 268, introduced by Galvin

HB 416, introduced by McKee

HB 493, introduced by Ewer

HB 528, introduced by Taylor

HB 576, introduced by Grady

HB 584, introduced by Bergsagel

House amendments to Senate bill concurred in:

SB 64, introduced by Gage

The Senate, on 4/6/95, failed to concur in House amendments to SB 292 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 292.

President Brown appointed the following members:

Senator Brown, Chairman

Senator Crippen

Senator Brooke

The Senate, on 4/7/95, dissolved the conference committee on SB 346 and appointed a free conference committee to meet with a like committee from the House to confer on SB 346.

President Brown appointed the following members:

Senator Beck, Chairman

Senator Grosfield

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Senator Forrester

The Senate, on 4/7/95, dissolved the conference committee on SB 362 and appointed a free conference committee to meet with a like committee from the House to confer on SB 362.

President Brown appointed the following members:

Senator Tveit, Chairman

Senator Beck

Senator L. Nelson

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time, and referred to committees:

SJR 22, introduced by Brooke, referred to Committee on State Administration.

SJR 23, introduced by Gage, referred to Committee on State Administration.

SPECIAL ORDERS OF THE DAY

The following sponsor was added to HR 2: Representative McCulloch.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 8:00 a.m., Saturday, April 8, 1995. Motion carried.

House adjourned at 4:45 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 8, 1995

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Chris Ahner. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives DeBruycker, Ellingson, Fuchs, Grimes, Sliter, excused. Quorum present.

Mr. Speaker introduced the Honorary pages:

Kacee Tash, Dillon
Nichole Tomaski, Havre
Josh Hanson, Havre
Danielle Antonetti, Helena
Nicole Antonetti, Helena
Michael Knight, Missoula
Kelsey Lohr, Dillon
Jonathon Balyeat, Great Falls

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/8/95

Correctly enrolled: HB 19, HB 160, HB 279, HB 349, HB 420, HB 464, HB 482, HB 514, HB 518, HB 544, HB 545, HB 552, HJR 16.

Examined by the sponsor and found to be correct: HB 19, HB 160, HB 279, HB 349, HB 420, HB 464, HB 518, HB 544, HB 545, HB 552, HJR 16.

Signed by the Speaker at 7:22 p.m., 4/7/95: HB 7, HB 8, HB 18, HB 41, HB 121, HB 167, HB 195, HB 197, HB 214, HB 295, HB 305, HB 336, HB 462, HB 473, HB 478, HB 484, HB 488, HB 490, HB 512, HB 521, HB 585, HB 603, HJR 13.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 418
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 418, met and considered:

1. Page 2.

Following: line 26

Insert: "(2) If Senate Bill No. 412 is passed and approved, then 82-11-131(2) as amended by [this act] is further amended by striking the last sentence in that subsection as follows:

~~"The producer shall must be reimbursed for the payments made on crude oil and natural gas produced for another in the same manner as he the producer is reimbursed for net proceeds tax paid under 15-23-607 on crude petroleum or natural gas produced for another."~~

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Renumber: subsequent section

2. Page 2, line 29.

Strike: "THE DEPARTMENT OF REVENUE SHALL COLLECT"

Insert: "For the purposes of this section, the provisions of [sections 1 through 20 of Senate Bill No. 412] apply to"

3. Page 2, line 30 through page 3, line 2.

Strike: "IN" on line 30 through "412]" on page 3, line 2

4. Page 3, line 7.

Following: "(2)"

Insert: "and (3)"

Strike: "AMENDS"

Insert: "amend 82-11-131(2) and"

Following: "(3),"

Strike: "IS"

Insert: "respectively, are"

We recommend that the amendments considered above to House Bill 418 be acceded to by the Senate.

And this Conference Committee report be adopted.

For the House:

Feland, Chairman

Devaney

Ream

For the Senate:

Devlin, Chairman

Cole

Stang

Free Conference Committee
on House Bill 543
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 543, met and considered:

1. Page 1, line 26.

Following: "the"

Insert: "judge shall require a"

Strike: "must" through "law"

Insert: "to be filed by the applicant"

2. Page 1, line 27.

Strike: "bond"

Insert: "written undertaking"

3. Page 1, line 29.

Strike: "NOT EXCEEDING \$50,000"

Insert: "that includes all of the wages, salaries, and benefits of the employees of the party enjoined or restrained"

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during the anticipated time that the injunction or restraining order will be in effect"

Following: " _ "

Insert: "The amount of the written undertaking may not exceed \$50,000 unless the interests of justice require."

Strike: "bond"

Insert: "written undertaking"

4. Page 2, line 4.

Strike: "5"

Insert: "30"

We recommend that the amendments considered above to House Bill 543 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Tash, Chairman
Wagner
Pavlovich

For the Senate:

Holden, Chairman
Estrada
Van Valkenburg

Conference Committee
on Senate Bill 223
Report No. 1, April 7, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 223, met and considered:

1. Page 11, line 24.

Following: "department."

Insert: "The department may establish resource and income standards of eligibility for mental health services that are more liberal than the resource and income standards of eligibility for physical health services. The standards for eligibility for mental health services may provide for eligibility for households with family income that does not exceed 200% of the federal poverty threshold or that does not exceed a lesser amount determined in the discretion of the department."

And that this Conference Committee report be adopted.

For the Senate:

Keating, Chairman
Baer
Waterman

For the House:

R. Johnson, Chairman
Soft
Barnhart

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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SB 385 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Forbes, Galvin, Grady, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Bergman, Boharski, Brainard, DeBruycker, Fisher, Green, Hayne, Jore, Kasten, Keenan, Rehbein, S. Smith, Vick, Wagner.

Total 14

Voted Absentee: Sliter, Aye; DeBruycker, No.

Excused: Ellingson, Fuchs, Grimes.

Total 3

Absent or not voting: Holland, McCann, Tuss.

Total 3

SB 366 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 72

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Larson, McCulloch, Peck, Raney, Ream, Schwinden, Squires, Swanson, Wennemar, Wyatt.

Total 26

Voted Absentee: DeBruycker, Fuchs, Sliter, Ayes; Ellingson, No.

Excused: Grimes.

Total 1

Absent or not voting: Tuss.

Total 1

SB 382 concurred in as follows:

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Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 71

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Larson, McCulloch, Peck, Raney, Ream, Schwinden, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 27

Voted Absentee: DeBruycker, Fuchs, Sliter, Ayes; Ellingson, No.

Excused: Grimes.
Total 1

Absent or not voting: Devaney.
Total 1

SB 219 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Brainard, Denny, Jore, Kasten, Keenan, Mills, Vick.
Total 7

Voted Absentee: DeBruycker, Ellingson, Fuchs, Sliter, Ayes.

Excused: Grimes.
Total 1

Absent or not voting: None.
Total 0

SB 257 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson,

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Hayne, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Barnhart, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Hagener, Harper, Harrington, Heavy Runner, Herron, Hurdle, J. Johnson, Kadas, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar.

Total 31

Voted Absentee: DeBruycker, Sliter, Ayes; Ellingson, No.

Excused: Fuchs, Grimes.

Total 2

Absent or not voting: None.

Total 0

SB 409 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Forbes, Grady, Green, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rose, Ryan, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Grinde, Hagener, Harper, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, McKee, Pavlovich, Peck, Raney, Ream, Rehbein, Schwinden, Simon, Squires, Story, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 39

Voted Absentee: DeBruycker, Sliter, Ayes; Ellingson, No.

Excused: Fuchs, Grimes.

Total 2

Absent or not voting: None.

Total 0

SB 412 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox,

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Total 98

Noes: None.

Total 0

Voted Absentee: DeBruycker, Ellingson, Fuchs, Sliter, Ayes.

Excused: Grimes.

Total 1

Absent or not voting: Holland.

Total 1

SB 424 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 89

Noes: Brainard, Cobb, Curtiss, M. Hanson, Harrington, Murdock, Taylor, Wagner, Mr. Speaker.

Total 9

Voted Absentee: DeBruycker, Ellingson, Fuchs, Sliter, Ayes.

Excused: Grimes.

Total 1

Absent or not voting: Squires.

Total 1

SB 338 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner,

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Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 82

Noes: Brainard, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Harper, Harrington, Hurdle, Kadas, Kottel, Larson, McCulloch, Pavlovich, Raney, Ream, Tropila.
Total 17

Voted Absentee: DeBruycker, Fuchs, Sliter, Ayes; Ellingson, No.

Excused: Grimes.
Total 1

Absent or not voting: None.
Total 0

SB 358 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Cobb, Elliott, McCann, Murdock, Orr, L. Smith, Wagner.
Total 7

Voted Absentee: DeBruycker, Ellingson, Fuchs, Sliter, Ayes.

Excused: Grimes.
Total 1

Absent or not voting: None.
Total 0

SB 421 concurred in as follows: •

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Rose, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 65

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Noes: Barnhart, Bergsagel, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Larson, McCulloch, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Ryan, Schwinden, L. Smith, Squires, Swanson, Tropila, Wennemar.
Total 33

Voted Absentee: Sliter, Aye; DeBruycker, Ellingson, Noes.

Excused: Fuchs, Grimes.
Total 2

Absent or not voting: None.
Total 0

SB 39 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Bergsagel, DeBruycker, Kadas, Marshall, Peck, Rehbein, Schwinden.
Total 7

Voted Absentee: Ellingson, Sliter, Ayes; DeBruycker, No.

Excused: Fuchs, Grimes.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

SB 409 - Representative Simon moved he be allowed to change his vote on SB 409, third reading, from aye to nay.
Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Rehbein in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading,

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recommend as follows:

SB 136 - Representative Grinde moved consideration of SB 136 be placed at the bottom of the second reading board. Motion carried.

HB 607 - Representative Grinde moved HB 607 do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 84

Noes: Carey, Cobb, Elliott, Ewer, Heavy Runner, Hurdle, Jore, Kadas, Kasten, Larson, McGee, Molnar, Story, Vick.
Total 14

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

Excused: None.
Total 0

Absent or not voting: Rehbein, L. Smith.
Total 2

HJR 30 - Representative Grinde moved HJR 30 do pass.

Representative Boharski moved HJR 30, second reading copy, be amended as follows (amendment #1):

1. Page 1, line 30.
Following: "ratification"
Insert: "; and

WHEREAS, the Montana Legislature will, as of this date, return to the federal government an amount of money that would equal \$22 billion if spread out across the population of the United States as a commitment to Montana's effort to balance the federal budget."

Amendment #1 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, Jore, Kadas, Kasten, Keenan, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 57

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Noes: Barnhart, Bohlinger, Carey, Cocchiarella, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 40

Voted Absentee: DeBruycker, Fuchs, Sliter, Ayes.

Excused: Ellingson, Grimes.

Total 2

Absent or not voting: Grady.

Total 1

Representative Grinde moved HJR 30, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 66

Noes: Bohlinger, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Larson, McCulloch, Menahan, Pavlovich, Peck, Quilici, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 31

Voted Absentee: DeBruycker, Fuchs, Grimes, Sliter, Ayes; Ellingson, No.

Excused: None.

Total 0

Absent or not voting: Barnhart, Feland, Kitzenberg.

Total 3

HB 460 - Representative Quilici moved Senate amendments to HB 460 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

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Noes: Bergman, DeBruycker, Denny, Devaney, Jore.

Total 5

Voted Absentee: Ellingson, Fuchs, Grimes, Sliter, Ayes; DeBruycker, No.

Excused: None.

Total 0

Absent or not voting: Ellis, Tuss.

Total 2

HB 504 - Representative Cobb moved Senate amendments to HB 504 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Boharski, S. Smith, Vick.

Total 3

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

Excused: None.

Total 0

Absent or not voting: Barnett, Ellis, Harper, Squires, Tuss.

Total 5

HB 550 - Representative Kasten moved Senate amendments to HB 550 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Cobb.

Total 1

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Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 412 - Representative Orr moved Senate amendments to HB 412 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook.

Total 89

Noes: Carey, Elliott, Hagener, Kadas, Peck, Raney, Ream, Wyatt.

Total 8

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

Excused: None.

Total 0

Absent or not voting: Cobb, Wennemar, Mr. Speaker.

Total 3

HB 446 - Representative Orr moved the conference committee report to HB 446 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

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Excused: None.

Total 0

Absent or not voting: Elliott, Feland.

Total 2

HB 537 - Representative Larson moved the conference committee report to HB 537 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook.

Total 87

Noes: Arnott, Barnhart, Bergsagel, Boharski, Cobb, Ewer, Fisher, Kasten, Nelson, Peck, S. Smith, Wennemar.

Total 12

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Sliter, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 602 - Representative Kitzenberg moved the conference committee report to HB 602 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Ohs, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Boharski, Cobb, Curtiss, DeBruycker, Ellingson, Hurdle, R. Johnson, Kadas, Kasten, McCann, Murdock, Nelson, Orr, Raney, S. Smith, Taylor, Tuss, Vick, Wennemar.

Total 19

Voted Absentee: Fuchs, Grimes, Sliter, Ayes; DeBruycker, Ellingson, Noes.

Excused: None.

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Total 0

Absent or not voting: Molnar.

Total 1

SB 181 - Representative Ream moved the conference committee report to SB 181 be adopted. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Anderson, Cobb, DeBruycker, Devaney, Feland, Jore, Kasten, Masolo, Murdock, Orr, Rehbein, S. Smith, Vick, Wagner.

Total 14

Voted Absentee: Ellingson, Fuchs, Grimes, Sliter, Ayes; DeBruycker, No.

Excused: None.

Total 0

Absent or not voting: Bergman, Ellis, Molnar.

Total 3

HB 68 - Representative Schwinden moved the free conference committee report to HB 68 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Kasten, Orr, Wagner.

Total 3

Voted Absentee: DeBruycker, Fuchs, Grimes, Sliter, Ayes.

Excused: Ellingson.

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Total 1

Absent or not voting: Jore, Molnar.

Total 2

Representative Ohs excused at this time.

HB 200 - Representative Bergman moved the free conference committee report to HB 200 be adopted. Motion carried as follows:

Ayes: Bergman, Bohlinger, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Stovall, Swanson, Tash, Trexler, Tropila, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 67

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Brainard, Carey, Cobb, Feland, Fisher, Green, M. Hanson, Hayne, Jore, Kadas, Kasten, Martinez, Masolo, Molnar, Rehbein, Schwinden, L. Smith, S. Smith, Story, Taylor, Tuss, Vick, Wagner, Wells, Zook.

Total 32

Voted Absentee: DeBruycker, Fuchs, Grimes, Ohs, Sliter, Ayes.

Excused: Ellingson.

Total 1

Absent or not voting: None.

Total 0

HB 358 - Representative Trexler moved the conference committee report to HB 358 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Arnott, Barnhart, DeBruycker, Harper, Raney, L. Smith.

Total 6

Voted Absentee: Fuchs, Grimes, Ohs, Sliter, Ayes; DeBruycker, No.

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Excused: Ellingson.

Total 1

Absent or not voting: Cobb.

Total 1

SB 229 - Representative Curtiss moved the conference committee report to SB 229 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Ewer, Harper, Heavy Runner, Hurdle, Peck, Wennemar.

Total 6

Voted Absentee: DeBruycker, Fuchs, Grimes, Ohs, Sliter, Ayes.

Excused: Ellingson.

Total 1

Absent or not voting: Barnett, Cobb.

Total 2

SB 352 - Representative Anderson moved the conference committee report to SB 352 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Curtiss, Jore, McGee.

Total 3

Voted Absentee: DeBruycker, Fuchs, Grimes, Ohs, Sliter, Ayes.

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Excused: Ellingson.

Total 1

Absent or not voting: Cobb.

Total 1

SB 361 - Representative M. Hanson moved the conference committee report to SB 361 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Arnott, Martinez, McGee, Simpkins.

Total 4

Voted Absentee: DeBruycker, Fuchs, Grimes, Ohs, Sliter, Ayes.

Excused: Ellingson.

Total 1

Absent or not voting: Cobb, Kitzenberg.

Total 2

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehbein moved that the Committee of the Whole report be adopted. Report adopted. (80-7)

Representative Grinde moved the House recess until 11:15 a.m. Motion carried.

House recessed at 10:15 a.m.

House reconvened at 11:15 a.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/8/95

Correctly printed for second reading: HB 471.

Correctly engrossed for third reading: HB 471, HB 607, HJR 30.

Signed by the Speaker at 10:08 a.m., 4/8/95: HB 19, HB 160, HB 279, HB 349, HB 420, HB 464, HB 518, HB 544, HB 545, HB 552, HJR 16.

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REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 547
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 547 and recommend the following amendments:

1. Page 2, lines 1 through 16.

Strike: line 1 in its entirety through "(m)" on line 16

Insert: ": (a)"

Renumber: subsequent subsection

2. Page 2, line 16.

Following: "felony"

Strike: "not specifically listed in this subsection (1)"

3. Page 2, line 19.

Strike: "specifically listed in this subsection (1)"

Insert: "that when committed in Montana is subject to an additional sentence under 46-18-221"

4. Page 2, line 22.

Following: line 21

Insert: "(3) A person who has been issued a permit under [section 3] may not be convicted of a violation of this section."

5. Page 2, line 24.

Strike: "listed"

Insert: "referred to"

6. Page 3, line 11.

Strike: "listed"

Insert: "referred to"

7. Page 4, line 5.

Strike: "listed"

Insert: "referred to"

We recommend that the amendments considered above to House Bill 547 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Clark, Chairman

For the Senate:

Cole, Chairman

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Boharski
McCulloch

Bishop
Bartlett

Conference Committee
on Senate Bill 56
Report No. 1, April 7, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 56, met and considered:

House Taxation Committee amendments dated March 22, 1995.

We recommend that the amendments to SB 56 (reference copy - salmon) considered above be acceded to by the Senate.

And that this Conference Committee report be adopted.

For the Senate:

Crippen, Chairman
Beck
Stang

For the House:

T. Nelson, Chairman
Arnott
Wennemar

Conference Committee
on Senate Joint Resolution 8
Report No. 1, April 8, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Joint Resolution 8, met and considered:

House Committee on State Administration amendments to third reading copy, dated March 20, 1995.

We recommend that the amendments considered above to SJR 8 be acceded to by the Senate.

And that this Conference Committee report be adopted.

For the Senate:

Emerson, Chairman
Jenkins
Van Valkenburg

For the House:

Simpkins, Chairman
Wells
Heavy Runner

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/8/95

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HB 209, introduced by Cobb
HB 561, introduced by Larson
HB 562, introduced by Wennemar
HB 588, introduced by Ohs
HB 600, introduced by Sliter

House bill concurred in and returned to the House:

4/8/95

HJR 9, introduced by Harrington

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/8/95

HB 524, introduced by McKee
HB 565, introduced by Ellis
HB 569, introduced by Orr
HB 591, introduced by Wiseman
HB 598, introduced by Hibbard

Senate bills passed and transmitted to the House for concurrence:

4/8/95

SJR 24, introduced by Harding
SJR 25, introduced by Harding

Conference committee report #1 adopted:

4/8/95

HB 602, introduced by Kitzenberg
SB 181, introduced by Weldon

The Senate, on 4/7/95, dissolved the conference committee on HB 308 and appointed a free conference committee to meet with a like committee from the House to confer on HB 308.

President Brown appointed the following members:

Senator Beck, Chairman
Senator Baer
Senator Lynch

The Senate, on 4/8/95, dissolved the conference committee on SB 38 and appointed a free conference committee to meet with a like committee from the House to confer on SB 38.

President Brown appointed the following members:

Senator Benedict, Chairman
Senator Hertel
Senator Lynch

The Senate, on 4/7/95, dissolved the conference committee on HB 206 and appointed a free conference committee to meet with a like committee from the House to confer on HB 206.

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President Brown appointed the following members:

Senator Burnett, Chairman
Senator Baer
Senator Doherty

**FIRST READING AND COMMITMENT
OF BILLS AND RESOLUTIONS**

The following Senate bills were introduced, read first time, and referred to committees:

SJR 24, introduced by Harding, referred to Committee on State Administration.

SJR 25, introduced by Harding, referred to Committee on State Administration.

MOTIONS

HB 471 - Representative Simpkins moved HB 471 be taken from the table in the Committee on Appropriations, printed, and placed on second reading this legislative day. Motion carried.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Rehbein in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 136 - Representative Brainard moved SB 136, second reading copy, be amended (amendment #1). Amendment #1 failed as follows:

Ayes: Arnott, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, Denny, Devaney, Feland, Forbes, Grady, Green, Grinde, Jore, Kasten, Knox, Martinez, McGee, Molnar, Murdock, Rehbein, Simpkins, Sliter, L. Smith, S. Smith, Tash, Tropila, Wagner, Wells, Wiseman.

Total 31

Noes: Ahner, Anderson, Barnett, Barnhart, Bohlinger, Carey, Cocchiarella, Elliott, Ellis, Ewer, Fisher, Galvin, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Nelson, Pavlovich, Peck, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tuss, Vick, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 60

Voted Absentee: Sliter, Aye.

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs.

Total 5

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Absent or not voting: Cobb, Harper, Orr, Raney.
Total 4

Representative Boharski moved SB 136, second reading copy, be amended (amendment #2).

Representative Boharski withdrew amendment #2.

Representative Denny moved SB 136 be concurred in.

Representative Kadas moved SB 136, second reading copy, be amended (amendment #3).

Representative Kadas made a substitute motion to segregate item #3 from amendment #3.

Amendment #3 reads as follows:

1. Amendment No. 4 in the insert
Following: "Gift of"
Strike: "substantial"

AND THAT SENATE BILL NO. 136, THIRD READING COPY, BE FURTHER AMENDED AS FOLLOWS:

2. Page 4, line 26.
Following: "of"
Strike: "substantial"
Strike: "a substantial"
Insert: "an"

3. Page 7, line 5.
Strike: "joint"

4. Page 7, line 17.
Strike: "joint"

Amendment #3 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 72

Noes: Cocchiarella, Feland, Fisher, M. Hanson, Herron, Holland, R. Johnson, Jore, Knox, Kottel, Martinez, Murdock, Nelson, Orr, Rehbein, S. Smith, Soft, Story, Trexler, Vick, Wiseman.
Total 21

Voted Absentee: Sliter, Aye.

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Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs.
Total 5

Absent or not voting: Kitzenberg, Simon.
Total 2

Representative Kadas withdrew item #3 of amendment #3.

Representative Cocchiarella moved SB 136, second reading copy, be further amended (amendment #4). Amendment #4 failed as follows:

Ayes: Clark, Cobb, Cocchiarella, Fisher, Galvin, Harrington, Heavy Runner, Herron, Kottel, Larson, McCulloch, Menahan, Murdock, Pavlovich, Quilici, Ream, Ryan, Shea, Somerville, Squires, Trexler, Tuss.
Total 22

Noes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Forbes, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Nelson, Orr, Peck, Raney, Rehbein, Rose, Schwinden, Simon, Simpkins, L. Smith, S. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 70

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs, Sliter.
Total 6

Absent or not voting: Ewer, Kitzenberg.
Total 2

Representative Anderson moved SB 136, second reading copy, be further amended as follows (amendment #5):

1. Page 5, line 24.

Strike: "A"

Insert: "Except as provided in subsection (4), a"

2. Page 6.

Following: line 3

Insert: "(4) When a public employee who is a member of a quasi-judicial board or commission or of a board, commission, or committee with rulemaking authority is required to take official action on a matter as to which the public employee has a conflict created by a personal or private interest that would directly give rise to an appearance of impropriety as to the public employee's influence, benefit, or detriment in regard to the matter, the public employee shall disclose the interest creating the conflict prior to participating in the official action."

Renumber: subsequent subsection

Amendment #5 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady,

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Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs, Sliter.

Total 6

Absent or not voting: Heavy Runner, Murdock, Nelson.

Total 3

Representative Denny moved SB 136, second reading copy, be further amended (amendment #6). Amendment #6 failed as follows:

Ayes: Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Denny, Elliott, Ewer, Forbes, H.S. Hanson, M. Hanson, Harper, Hibbard, Holland, R. Johnson, Jore, Kadas, Kasten, Knox, McKee, Mills, Schwinden, Simpkins, Sliter, S. Smith, Soft, Somerville, Vick, Wagner, Wells, Wennemar, Wyatt.

Total 33

Noes: Ahner, Anderson, Barnett, Bergsagel, Carey, Cobb, Cocchiarella, Curtiss, Devaney, Ellis, Feland, Fisher, Galvin, Grady, Green, Grinde, Hagener, Harrington, Heavy Runner, Herron, Hurdle, J. Johnson, Keenan, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wiseman, Zook.

Total 57

Voted Absentee: Sliter, Aye.

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs.

Total 5

Absent or not voting: Arnott, Hayne, Kitzenberg, L. Smith, Mr. Speaker.

Total 5

Representative Boharski moved SB 136, second reading copy, be further amended (amendment #7). Amendment #7 failed as follows:

Ayes: Anderson, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Forbes, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Orr, Rehbein, Simpkins, Sliter, S. Smith, Soft, Somerville, Tash, Wagner, Wells, Wiseman, Mr. Speaker.

Total 42

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Noes: Ahner, Barnett, Carey, Cocchiarella, Elliott, Ellis, Ewer, Feland, Fisher, Galvin, Grady, Hagener, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, L. Smith, Squires, Story, Stovall, Swanson, Taylor, Trexler, Tropila, Tuss, Vick, Wennemar, Wyatt, Zook.
Total 51

Voted Absentee: Sliter, Aye.

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs.
Total 5

Absent or not voting: Arnott, Simon.
Total 2

Representative Denny moved SB 136, as amended, be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 80

Noes: Bergman, Clark, Devaney, Ellis, Ewer, Feland, Galvin, Grady, Hayne, Herron, Kasten, Masolo, Pavlovich, Quilici, Ream, Rehbein, Story, Taylor, Trexler, Zook.
Total 20

Voted Absentee: DeBruycker, Ellingson, Fuchs, Grimes, Ohs, Sliter, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 471 - Representative Simpkins moved HB 471, second reading copy, be amended as follows (amendment #1):

1. Title, line 7.

Following: "REVIEW;"

Insert: "PROVIDING APPROPRIATIONS;"

2. Page 2.

Following: line 13

Insert:

"NEW SECTION. Section 3. Appropriations. (1) There is a biennial appropriation not to exceed \$13,800 to the legislative council from the pension trust funds for the committee on public employee retirement systems.

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Of the total appropriation, 37% must be made from the teachers' retirement pension fund. The remaining 63% must be made from the various pension trust funds administered by the public employees' retirement board in proportion to the membership of each system.

(2) There is appropriated from the state special revenue fund to the legislative council for the biennium ending June 30, 1997, up to \$10,000 in contributions received for the committee on public employee retirement systems pursuant to 5-21-104(3)."

Renumber: subsequent section

Amendment #1 as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagher, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Kasten.

Total 1

Excused: DeBruycker, Ellingson, Fuchs, Grimes, Ohs, Sliter.

Total 6

Absent or not voting: Keenan, Martinez, Swanson.

Total 3

Representative Simpkins moved HB 471, as amended, do pass. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: DeBruycker, Harper, Jore, Kasten, Wagner.

Total 5

Voted Absentee: Forbes, Ohs, Sliter, Ayes; DeBruycker, No.

Excused: Ellingson, Fuchs, Grimes.

Total 3

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Absent or not voting: Keenan, Martinez.
Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rehbein moved that the Committee of the Whole report be adopted. Report adopted. (88-4)

MOTIONS

Representative Grinde moved the rules be suspended to permit placement and consideration of HB 471 on third reading this legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 471 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Galvin, Grady, Green, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 86

Noes: Bergsagel, DeBruycker, Harper, Jore, Kasten, Rehbein, Wagner.
Total 7

Voted Absentee: Sliter, Aye; DeBruycker, No.

Excused: Ellingson, Forbes, Fuchs, Grimes, Ohs.
Total 5

Absent or not voting: Grinde, McGee.
Total 2

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

April 8, 1995

The Honorable John Mercer
Speaker of the House

HOUSE JOURNAL
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State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby veto House Bill 264, **"AN ACT PROVIDING THAT A PUBLIC EMPLOYER'S FAILURE OR REFUSAL TO GRANT A WAGE INCREASE CONTAINED IN AN EXPIRED COLLECTIVE BARGAINING AGREEMENT DOES NOT CONSTITUTE AN UNFAIR LABOR PRACTICE; PROVIDING AN EXEMPTION FOR FIREFIGHTERS IN CITIES OF THE FIRST AND SECOND CLASS; AMENDING SECTION 39-31-401, MCA; AND PROVIDING AND IMMEDIATE EFFECTIVE DATE"** for the following reasons.

House Bill 264 provides that it is not an unfair labor practice for a public employer to withhold wage increases contained in a collective bargaining agreement following expiration of the agreement and in the absence of a new contract.

House Bill 264 addresses the current practice whereby a public employee, a teacher for example, is paid according to an employment contract's stated method of placement on a pay matrix ("steps and lanes") and in accord with the number of years of experience and education credits that the teacher actually has. As the teacher fulfills certain additional and time-in-service requirements, automatic pay adjustments are made according to movement on the matrix.

In the absence of a bargaining impasse, existing law requires that a school district must continue to pay salaries according to the expired collective bargaining contract pending agreement on a successor contract. In other words, the employer may not unilaterally change the pay provisions of the expired contract, unless the union has waived bargaining on the issue or an impasse in bargaining has been reached.

House Bill 264 alters the current negotiating practices by permitting an employer to unilaterally change an employee's terms of compensation during the period between collective bargaining agreements. I do not think this change is warranted.

In the first place, the ability to collectively bargain an end to automatic "step and lane" pay increases is an option for school boards under existing law. It is therefore only the period between employment contracts that House Bill 264 addresses.

It strikes me as unfair that when an employment contract expires, an employee who continues to work and who becomes eligible for a step increase under the expired agreement may not be paid for that step increment because a new agreement has not yet been reached. I assume that it is desirable for public employees to continue to perform their responsibilities even though the old labor agreement has expired and negotiations for the new agreement are ongoing. Obviously when they continue to perform services until new contractual terms can be agreed upon, there is an expectation that those services will be compensated. If the terms of the previous agreement are not applicable, which terms should be?

By accepting the benefit of continued services performed by the employee, surely the compensation paid under the most recent contract is evidence of the value of those services, until such time as a new value can be settled upon.

I do not believe that we should legislatively alter a widely-recognized and longstanding practice of collective

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bargaining that has developed over the course of many years.

Sincerely,

MARC RACICOT
Governor

MOTIONS

SB 136 - Representative Ellis moved he be allowed to change his vote on SB 136, second reading, from not voting to nay. Motion carried.

SB 385 - Representative Kasten moved that Representative DeBruycker be allowed to change his vote on SB 385, third reading, from not voting to nay. Motion carried.

Representative Kasten moved that Representative Sliter be allowed to change his vote on SB 385, third reading, from not voting to aye. Motion carried.

HB 471 - Representative Kasten moved that Representative DeBruycker be allowed to change his vote on SB 471, third reading, from not voting to nay. Motion carried.

Representative Kasten moved that Representative Sliter be allowed to change his vote on SB 471, third reading, from not voting to aye. Motion carried.

HB 607 - Representative Kasten moved that Representative Sliter be allowed to change his vote on HB 607, second reading, from not voting to aye. Motion carried.

HB 412 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 412. Motion carried.

Mr. Speaker appointed the following members:

Representative Orr, Chairman
Representative Tash
Representative Shea

SB 38 - Representative Grinde moved the House dissolve the conference committee on SB 38 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to SB 38. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Simon
Representative Kadas

SB 206 - Representative Grinde moved the House dissolve the conference committee on SB 206 and the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on

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Senate amendments to SB 206. Motion carried.

Mr. Speaker appointed the following members:

Representative Simpkins, Chairman
Representative Soft
Representative McCann

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 1:00 p.m., Monday, April 10, 1995. Motion carried.

House adjourned at 1:55 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
EIGHTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 10, 1995

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative John Bohlinger. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Fuchs, Stovall, Tuss, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-second, seventy-third and seventy-fourth legislative days, find the same to be correct.

Hayne, Chairman

Representative Tuss present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/10/95

Correctly enrolled: HB 17, HB 158, HB 209, HB 298, HB 561, HB 562, HB 574, HB 577, HB 578, HB 588, HB 594, HB 600, HJR 9.

Examined by the sponsor and found to be correct: HB 158, HB 209, HB 298, HB 309, HB 338, HB 482, HB 514, HB 561, HB 562, HB 577, HB 578, HB 588, HB 600, HJR 9.

Delivered to the Governor for his approval at 9:15 a.m., 4/10/95: HB 7, HB 8, HB 18, HB 19, HB 41, HB 121, HB 150, HB 160, HB 164, HB 167, HB 186, HB 197, HB 201, HB 214, HB 232, HB 240, HB 272, HB 279, HB 286, HB 295, HB 305, HB 311, HB 325, HB 336, HB 347, HB 349, HB 354, HB 380, HB 420, HB 429, HB 444, HB 464, HB 473, HB 478, HB 488, HB 512, HB 518, HB 521, HB 530, HB 539, HB 544, HB 545, HB 552, HB 585.

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 280 sponsored by Representatives Barnett et al. on April 7, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1995

HOUSE JOURNAL
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Dear Representative Mercer:

Please be informed that I have signed House Bill 294 sponsored by Representatives Ohs et al. on April 7, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 322 sponsored by Representatives Hibbard et al. on April 7, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 393 sponsored by Representatives Grady et al. on April 7, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 7, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 513 sponsored by Representative DeBruycker on April 7, 1995.

Sincerely,

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MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 307 sponsored by Representatives Harrington et al. on April 10, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 485 sponsored by Representatives Bergsagel et al. on April 10, 1995.

Sincerely,

MARC RACICOT
Governor

MOTIONS

HB 200 - Representative Molnar moved the House reconsider its action on HB 200 taken on second reading the previous legislative day. Motion carried. (51-47)

SB 260 - Representative Ryan moved SB 260 be taken from the table in the Committee on Taxation, printed, and placed on second reading this legislative day. Motion failed. (51-44)

Representative Fuchs present at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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SB 161 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Brainard, Clark, Cobb, Hagener, Herron, Keenan, Simpkins.

Total 7

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Ellis, Fisher.

Total 2

SB 274 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Brainard, Clark, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Masolo, McGee, McKee, Molnar, Murdock, Ohs, Orr, Raney, Rehbein, Rose, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 56

Noes: Arnott, Barnhart, Bergsagel, Bohlinger, Carey, Cobb, Cocchiarella, Denny, Ellingson, Ewer, Feland, Galvin, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Martinez, McCann, McCulloch, Menahan, Nelson, Pavlovich, Peck, Quilici, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 43

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Mills.

Total 1

SB 417 concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Barnhart, Carey, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Hurdle, J. Johnson, Kadas, Kitzenberg, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Swanson, Wennemar.

Total 27

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Forbes.

Total 1

HB 607 passed as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 75

Noes: Arnott, Bergman, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Feland, Heavy Runner, Hurdle, Jore, Kadas, Kasten, Larson, McGee, Molnar, Ream, Rehbein, Squires, Story, Vick.

Total 22

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Bergsagel, Green, S. Smith.

Total 3

HJR 30 passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S.

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Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Raney, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 71

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Larson, Menahan, Pavlovich, Peck, Quilici, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 29

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 460 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergman, Boharski, DeBruycker, Devaney, Jore, Kasten, Keenan, McCann, Rehbein, S. Smith.

Total 10

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Feland, Simpkins.

Total 2

HB 504 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox,

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Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Keenan, Martinez, Vick.

Total 3

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Boharski, Squires.

Total 2

HB 550 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: Jore, Trexler, Vick, Wagner.

Total 4

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 136 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Vick,

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Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Arnott, Bergsagel, Clark, Devaney, Ewer, Feland, Galvin, Grady, Kasten, Kitzenberg, Masolo, McGee, Pavlovich, Ream, Rehbein, L. Smith, Story, Taylor, Trexler.

Total 19

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 446, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Barnett, Hagener.

Total 2

HB 537, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 90

Noes: Arnott, Bergsagel, Cobb, Ewer, Fisher, Kasten, McCann, Nelson, Peck, Simon.

Total 10

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 602, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bergsagel, Boharski, Brainard, Cobb, DeBruycker, Hurdle, Jore, Kadas, Kasten, Keenan, Marshall, McCann, Murdock, Nelson, Orr, S. Smith, Taylor, Tuss, Vick, Wagner, Wennemar.

Total 21

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 181, conference committee report, adopted as follows:

Ayes: Ahner, Barnett, Barnhart, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Anderson, Arnott, Bergman, Bergsagel, Boharski, Clark, Cobb, DeBruycker, Devaney, Feland, Jore, Kasten,

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Kitzenberg, Masolo, Murdock, Orr, Rehbein, L. Smith, Story, Trexler, Vick, Wagner.
Total 22

Voted Absentee: Stovall, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 68, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 91

Noes: Boharski, Jore, Kasten, Mills, Orr, Tuss, Vick, Wagner.
Total 8

Voted Absentee: Stovall, Aye.

Excused: None.
Total 0

Absent or not voting: Feland.
Total 1

HB 358, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, Denny, Devaney, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 79

Noes: Arnott, Barnhart, Bergsagel, Cobb, Cocchiarella, DeBruycker, Ellingson, Ewer, Fisher, Harper, Hurdle, Kadas, Kottel, Larson, McCulloch, Raney, Ream, Tuss, Wennemar.
Total 19

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Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: Hagener, Herron.

Total 2

SB 229, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 87

Noes: Ellingson, Ewer, Harper, Heavy Runner, Hurdle, Jore, Kadas, Keenan, Raney, Ream, Swanson, Tuss, Wennemar.

Total 13

Voted Absentee: Stovall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 352, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Stovall, Aye.

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Excused: None.
Total 0

Absent or not voting: Devaney.
Total 1

SB 361, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Arnott, Brainard, Feland, Jore, Kasten, Keenan, Orr, Vick.
Total 8

Voted Absentee: Stovall, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Grinde moved the House recess until 2:15 p.m. Motion carried.

House recessed at 1:35 p.m.

House reconvened at 2:35 p.m. Mr. Speaker in the Chair.

Representative Stovall present at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 157
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 157, met and considered:

1. Title, line 9.

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Following: ""AN ACT"

Strike: "ALLOWING"

Insert: "INCREASING PENALTIES FOR"

2. Title, lines 9 through 13.

Following: "SEX" on line 9

Strike: remainder of line 9 through first "THOSE" on line 13

3. Title, line 13.

Following: "OFFENSES;"

Insert: "INCREASING THE MAXIMUM PENALTY FOR CERTAIN SEX OFFENSES TO LIFE
IMPRISONMENT"

Strike: "THOSE PERSONS"

Insert: "CERTAIN SEXUAL OFFENDERS"

4. Title, line 17.

Following: "45-5-625,"

Insert: "46-18-202,"

5. Page 1, lines 28 and 29.

Following: "be" on line 28

Strike: remainder of line 28 through "imprisoned" on line 29

Insert: "punished by life imprisonment or by imprisonment"

6. Page 1, line 29.

Strike: "20"

Insert: "100"

7. Page 1, line 30 through page 2, line 6.

Following: "\$50,000" on line 30

Strike: remainder of line 30 through "\$50,000" on page 2, line 6

8. Page 2, lines 17 and 18.

Following: "be" on line 17

Strike: remainder of line 17 through "imprisoned" on line 18

Insert: "punished by life imprisonment or by imprisonment"

9. Page 2, line 18.

Strike: "20"

Insert: "100"

10. Page 2, lines 19 through 25.

Following: "46-18-222" on line 19

Strike: remainder of line 19 through "\$50,000" on line 25

11. Page 2, lines 28 and 29.

Following: "be" on line 28

Strike: remainder of line 28 through "imprisoned" on line 29

Insert: "punished by life imprisonment or by imprisonment"

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12. Page 2, line 29.

Strike: "2"

Insert: "4"

Strike: "40"

Insert: "100"

13. Page 3, line 2 through page 3, line 8.

Following: "~~commission~~" on line 2

Strike: remainder of line 2 through "\$50,000" on line 8

14. Page 3, lines 12 and 13.

Following: "be" on line 12

Strike: remainder of line 12 through "imprisoned" on line 13

Insert: "punished by life imprisonment or by imprisonment"

15. Page 3, line 13.

Strike: "40"

Insert: "100"

16. Page 3, lines 14 through 20.

Following: "46-18-222" on line 14

Strike: remainder of line 14 through "\$50,000" on line 20

17. Page 4, lines 8 and 9.

Following: "be" on line 8

Strike: remainder of line 8 through "imprisoned" on line 9

Insert: "punished by life imprisonment or by imprisonment"

18. Page 4, line 9.

Following: second "not"

Insert: "less than 5 years or"

19. Page 4, line 10.

Strike: "5"

Insert: "100"

Following: "years"

Strike: remainder of line 10

Insert: "and may be fined not more than \$10,000"

20. Page 4, lines 11 through 16.

Strike: line 11 in its entirety through "\$10,000" on line 16

21. Page 4, lines 26 and 27.

Following: "be" on line 26

Strike: remainder of line 26 through "imprisoned" on line 27

Insert: "punished by life imprisonment or by imprisonment"

22. Page 4, line 27.

Strike: "20"

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Insert: "100"

23. Page 4, line 28 through page 5, line 4.

Following: "\$50,000" on line 28

Strike: remainder of line 28 through "\$50,000" on page 5, line 4

24. Page 5, lines 7 and 8.

Following: "be" on line 7

Strike: remainder of line 7 through "imprisoned" on line 8

Insert: "punished by life imprisonment or by imprisonment"

25. Page 5, line 8.

Following: "term"

Strike: "not to exceed 20"

Insert: "of not less than 4 years or more than 100"

26. Page 5, lines 9 through 15.

Following: "\$50,000" on line 9

Strike: remainder of line 9 through "\$50,000" on line 15

27. Page 6, lines 11 and 12.

Following: "be" on line 11

Strike: remainder of line 11 through "imprisoned" on line 12

Insert: "punished by life imprisonment or by imprisonment"

28. Page 6, line 13.

Strike: "20"

Insert: "100"

Following: "years"

Strike: remainder of line 13

Insert: "and may be fined not more than \$10,000"

29. Page 6, lines 14 through 19.

Strike: line 14 in its entirety through "\$10,000" on line 19

30. Page 6, lines 21 and 22.

Following: "be" on line 21

Strike: remainder of line 21 through "imprisoned" on line 22

Insert: "punished by life imprisonment or by imprisonment"

31. Page 6, lines 22 and 23.

Following: "term" on line 22

Strike: remainder of line 22 through "50" on line 23

Insert: "of not less than 4 years or more than 100"

32. Page 6, line 23.

Following: "years"

Strike: remainder of line 23

Insert: "and may be fined not more than \$10,000"

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33. Page 6, lines 24 through 29.

Strike: line 24 in its entirety through "\$10,000" on line 29

34. Page 7, line 7.

Insert: "Section 6. Section 46-18-202, MCA, is amended to read:

"46-18-202. Additional restrictions on sentence. (1) The district court may also impose any of the following restrictions or conditions on the sentence provided for in 46-18-201 that it considers necessary to obtain the objectives of rehabilitation and the protection of society:

- (a) prohibition of the defendant's holding public office;
- (b) prohibition of the defendant's owning or carrying a dangerous weapon;
- (c) restrictions on the defendant's freedom of association;
- (d) restrictions on the defendant's freedom of movement;
- (e) any other limitation reasonably related to the objectives of rehabilitation and the protection of society.

(2) Whenever the district court imposes a sentence of imprisonment in the state prison for a term exceeding 1 year, the court may also impose the restriction that the defendant be ineligible for parole and participation in the supervised release program while serving that term. If such a restriction is to be imposed, the court shall state the reasons for it in writing. If the court finds that the restriction is necessary for the protection of society, it shall impose the restriction as part of the sentence and the judgment shall contain a statement of the reasons for the restriction.

(3) The judge in a justice's, city, or municipal court does not have the authority to restrict an individual's rights as enumerated in subsection (1)(a).

(4) When the district court imposes a sentence of probation as defined in 46-23-1001, any probation agreement signed by the defendant may contain a clause waiving extradition.

(5) Whenever the district court imposes a sentence of imprisonment in the state prison for a violation of 45-5-502(3), 45-5-503, 45-5-504(2)(c), 45-5-507 (unless the act occurred between two consenting persons 16 years of age or older), or 45-5-625, the court may also impose the restriction that the defendant be ineligible for a good time allowance while serving that term. If such a restriction is to be imposed, the court shall state the reasons for it in writing. If the court finds that the restriction is necessary for the protection of society, it shall impose the restriction as part of the sentence and the judgment must contain a statement of the reasons for the restriction."

Renumber: subsequent sections

35. Page 7, line 15.

Strike: "45-5-505,"

36. Page 9, lines 12 and 13.

Strike: "9"

Insert: "10"

37. Page 9, line 14.

Insert: "NEW SECTION. Section 12. Coordination instruction. If [this act] and House Bill No. 214 are both passed and approved, then the amendment to 46-23-502(3)(a) in House Bill No. 214 is void."

We recommend that the amendments considered above to House Bill 157 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

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For the House:

Clark, Chairman
Denny
Shea

For the Senate:

Crippen, Chairman
Grosfield
Halligan

Free Conference Committee
on Senate Bill 38
Report No. 1, April 10, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 38, met and considered:

1. Page 3, line 27.

Strike: "SAME"

Insert: "most favorable"

2. Page 3, line 28.

Strike: "AS THE FINANCIAL INSTITUTION PARTICIPATING IN THE"

Insert: "possible on any"

And that this Free Conference Committee report be adopted.

For the Senate:

Benedict, Chairman
Hertel
Lynch

For the House:

R. Johnson, Chairman
Simon
Kadas

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/10/95

HB 601, introduced by Somerville

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/10/95

HB 90, introduced by Feland

HB 293, introduced by Ream

HB 449, introduced by Swanson

HB 497, introduced by Bohlinger

HB 587, introduced by Quilici

Free conference committee report adopted: 4/10/95

HB 68, introduced by Schwinden

HB 200, introduced by Bergman

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Conference committee report adopted: 4/10/95

HB 359, introduced by Trexler

Governor's amendments concurred in: 4/10/95

HB 136, introduced by Ellis

The Senate, on 4/10/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 412.

President Brown appointed the following members:

Senator Grosfield, Chairman
Senator Harp
Senator Forrester

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown April 10, 1995
President of the Senate
State Capitol
Helena MT 59620

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 395, **"AN ACT IMPLEMENTING AN INTEGRATED NOXIOUS WEED CONTROL PROGRAM FOR STATE AGENCIES AND ENTITIES BY CLARIFYING WHAT PROVISIONS REGARDING PLANS OF OPERATIONS AND BUDGETS MUST BE INCLUDED IN COOPERATIVE AGREEMENTS BETWEEN STATE AGENCIES AND ENTITIES AND THE DISTRICT WEED BOARDS; REQUIRING THE COORDINATION OF WEED CONTROL EFFORTS THROUGH THE STATE WEED COORDINATOR; AMENDING SECTION 7-22-2151, MCA; AND PROVIDING AN EFFECTIVE DATE."**

House Bill 395 requires all state agencies that control land within a weed management district to enter into a six-year integrated noxious weed management agreement with the district weed board. A plan of operations, a budget to implement the plan and a provision for a biennial performance report to the State Weed Coordinator must be included in the agreement. Each agency must submit to the Coordinator a statement of all noxious weed actions subject to the agreement.

This increased emphasis on noxious weed management will require additional expenditures by the affected state agencies, including the Department of State Lands and the Department of Natural Resources and Conservation. An estimate of the fiscal impact of House Bill 395 on the Department of State Lands is \$54,000 in additional spending

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for each year of the biennium, and for the Department of Natural Resources and Conservation the fiscal impact is around \$19,000 each year.

Although there is some disagreement over the fiscal note (the sponsor of the bill did not sign it), the bill will clearly have a fiscal impact. The Department of State Lands also administers approximately 5.1 million acres of trust lands. The implementation of enhanced weed control efforts would require additional staff time. While the bill may be a good idea, the Legislature did not appropriate funding for it.

Therefore, I am amending the bill to require that unless the necessary appropriation for the noxious weed control program is made, the bill will not take effect.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 395

1. Title, line 12.

Following: "DATE"

Insert: "AND A CONTINGENT VOIDNESS PROVISION"

2. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 3. Contingent voidness. In the event an appropriation at least equivalent to the estimated cost of [this act] shown in the latest fiscal note is not included in an appropriation act approved by the Legislature, [this act] is void.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ellingson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 418 - Representative Devaney moved the free conference committee report to HB 418 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash,

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Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Boharski.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 543 - Representative Wagner moved the free conference committee report to HB 543 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 69

Noes: Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 547 - Representative Clark moved the free conference committee report to HB 547 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 96

Noes: Harper, Harrington, Peck, Rehbein.

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Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 56 - Representative T. Nelson moved the conference committee report to SB 56 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Bergsagel.

Total 1

Excused: None.

Total 0

Absent or not voting: Stovall.

Total 1

SB 83 - Representative R. Johnson moved the free conference committee report to SB 83 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 85

Noes: Boharski, Clark, Cobb, Kadas, Martinez, McCulloch, Ream, Rehbein, Sliter, L. Smith, Squires, Tuss, Wennemar, Wyatt.

Total 14

Excused: None.

Total 0

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Absent or not voting: Tropila.

Total 1

SJR 8 - Representative Simpkins moved the conference committee report to SJR 8 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bohlinger, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rose, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Stovall, Swanson, Tash, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 59

Noes: Arnott, Barnett, Bergman, Bergsagel, Brainard, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Galvin, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCulloch, McGee, Molnar, Peck, Raney, Ream, Rehbein, Ryan, Schwinden, Shea, Squires, Story, Trexler, Tropila, Tuss, Vick, Wennemar.

Total 38

Excused: None.

Total 0

Absent or not voting: Boharski, Sliter, Taylor.

Total 3

HB 416 - Representative McKee moved Senate amendments to HB 416 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Arnott, Barnett, Brainard, Jore, Keenan, Martinez, McGee, Peck, Rehbein, S. Smith, Vick, Wells.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 493 - Representative Ewer moved Senate amendments to HB 493 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Jore, Rehbein, L. Smith, S. Smith, Vick, Wagner.

Total 6

Excused: None.

Total 0

Absent or not voting: DeBruycker, Green, Molnar.

Total 3

HB 524 - Representative McKee moved Senate amendments to HB 524 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Fuchs, Galvin, Grady, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Peck, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Somerville, Stovall, Swanson, Taylor, Wagner, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 65

Noes: Arnott, Bergsagel, Brainard, Cobb, DeBruycker, Denny, Feland, Forbes, Green, Grimes, Grinde, Hayne, Jore, Kasten, Keenan, Knox, McGee, Molnar, Orr, Pavlovich, Raney, Rehbein, Simpkins, S. Smith, Soft, Squires, Story, Tash, Trexler, Tropila, Tuss, Vick, Wells, Zook.

Total 34

Excused: None.

Total 0

Absent or not voting: Herron.

Total 1

HB 565 - Representative Ellis moved Senate amendments to HB 565 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith,

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S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 92

Noes: Barnhart, Boharski, Galvin, Hagener, Jore, Peck, Wyatt.

Total 7

Excused: None.

Total 0

Absent or not voting: Mills.

Total 1

HB 569 - Representative Orr moved Senate amendments to HB 569 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 92

Noes: Brainard, Cobb, DeBruycker, Fisher, Jore, Kasten, Rehbein, Wyatt.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 591 - Representative Wiseman moved Senate amendments to HB 591 be concurred in. Motion failed as follows:

Ayes: Barnhart, Bohlinger, Carey, Cocchiarella, Elliott, Ewer, Fuchs, Galvin, Hagener, H.S. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, McCulloch, McGee, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, Squires, Stovall, Swanson, Tropila, Tuss, Wiseman, Wyatt, Zook.

Total 43

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Feland, Fisher, Green, Grimes, Grinde, M. Hanson, Hayne, Holland, R. Johnson, Jore, Kasten, Knox, Marshall, Martinez, Masolo, McCann, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wennemar, Mr. Speaker.

Total 55

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Excused: None.
Total 0

Absent or not voting: Forbes, Grady.
Total 2

HB 598 - Representative Hibbard moved Senate amendments to HB 598 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.
Total 96

Noes: Galvin, Murdock.
Total 2

Excused: None.
Total 0

Absent or not voting: DeBruycker, Mr. Speaker.
Total 2

HB 5 - Representative Bergsagel moved Senate amendments to HB 5 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 85

Noes: Barnhart, Cobb, Ellingson, Galvin, Harper, Kadas, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tuss, Wyatt.
Total 14

Excused: None.
Total 0

Absent or not voting: Ellis.

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Total 1

HB 9 - Representative Bergsagel moved Senate amendments to HB 9 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Barnhart, Cocchiarella, Ellingson, Elliott, Galvin, Harper, Harrington, Heavy Runner, Hurdle, Menahan, Peck, Ream, Schwinden, Squires, Swanson, Wennemar.

Total 16

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 15 - Representative Bergsagel moved Senate amendments to HB 15 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 74

Noes: Carey, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Heavy Runner, Hurdle, Kadas, Kasten, Kottel, McCulloch, McKee, Menahan, Peck, Ream, Ryan, Shea, Squires, Swanson, Tuss, Wennemar, Wyatt.

Total 25

Excused: None.

Total 0

Absent or not voting: Schwinden.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ellingson moved that the Committee of the Whole report be adopted. Report

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adopted. (74-15)

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 308
Report No. 1, April 7, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 308, met and considered:

1. Title, line 5.

Strike: "AVAILABILITY"

Insert: "DIRECT BENEFIT"

2. Title, line 9.

Following: "JURISDICTION;"

Strike: "PROVIDING" through "BENEFITED;"

3. Title, line 12.

Following: "DATE"

Strike: "AND AN APPLICABILITY DATE"

4. Page 2, line 18.

Strike: "in accordance with 7-13-2301"

5. Page 4, line 3.

Strike: "(a)"

6. Page 4, line 5.

Strike: "or indirectly"

7. Page 4, line 6.

Following: "and"

Insert: "direct"

8. Page 4, lines 17 through 22.

Strike: subsection (b) in its entirety

9. Page 4, line 27.

Following: "(a)"

Strike: "A"

Insert: "If the board has ordered discontinuance of service as provided in subsection (3) and the person or entity who received the service has not made full payment of all delinquent charges, interest, penalties, and deposits, then a"

10. Page 5, line 14.

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Following: "~~HOME~~."

Insert: "If the property on which arrearages remain unpaid contains a mobile home, the amount owed must be assessed as a tax against the owner of the mobile home. If the mobile home for which arrearages remain unpaid is no longer on the property, the amount owed must be assessed as a tax against the property."

11. Page 5, line 15.

Strike: "assessments"

Insert: "delinquent charges"

12. Page 5, line 29.

Strike: "5"

Insert: "7"

13. Page 7, line 10 through page 8, line 4.

Strike: section 7 in its entirety

Renumber: subsequent sections

14. Page 8, line 8.

Strike: "30"

Insert: "40"

15. Page 8, lines 16 and 17.

Following: "use" on line 16

Strike: "or" on line 16 through "availability" on line 17

16. Page 9, lines 19 and 20.

Strike: "THROUGH" on line 19 through "9" on line 20

Insert: "and 8"

17. Page 9, line 21.

Strike: "THROUGH 9"

Insert: "and 8"

18. Page 9, line 23.

Strike: "-- APPLICABILITY"

Strike: "(1)"

19. Page 9, lines 25 and 26.

Strike: subsection (2) in its entirety

We recommend that the amendments considered above to House Bill 308 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Wagner, Chairman
Somerville
Ewer

For the Senate:

Beck, Chairman
Baer
Lynch

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Conference Committee
on Senate Bill 198
Report No. 1, April 10, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 198, met and considered:

1. Title, lines 10 and 11.
Strike: "ESTABLISHING" on line 10 through "LAND:" on line 11
2. Title, line 12.
Strike: "1"
Insert: "AND"
3. Title, lines 13 and 14.
Strike: ", AND" on line 13 through "DATE" on line 14
4. Page 6, line 19 through page 7, line 9.
Strike: section 4 in its entirety
Renumber: subsequent sections
5. Page 7, line 19.
Strike: "4,"
Strike: "7, 8"
Insert: "6"
6. Page 7, line 22.
Strike: "5"
Insert: "4"
7. Page 7, line 30.
Strike: section 8 in its entirety

And that this Conference Committee report be adopted.

For the Senate:

Devlin, Chairman
Beck
Jergeson

For the House:

Hibbard, Chairman
Rose
Wennemar

Free Conference Committee
on Senate Bill 346
Report No. 1, April 10, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 346, met and considered:

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1. Page 3, line 19.

Strike: "under [section 3]"

Insert: "or classification"

2. Page 4, lines 21 and 22.

Strike: "OF" on line 21

Insert: "longer than"

Strike: "from" on line 21 through "standard" on line 22.

3. Page 4, line 24.

Following: "CAUSE"

Insert: "overall"

Following: "THAN THE"

Insert: "overall"

And that this Free Conference Committee report be adopted.

For the Senate:

Beck, Chairman

Grosfield

Forrester

For the House:

Knox, Chairman

Ohs

Shea

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown

President of the Senate

State Capitol

Helena MT 59620

April 10, 1995

The Honorable John Mercer

Speaker of the House

State Capitol

Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 509, "**AN ACT AUTHORIZING MERGERS AND CONSOLIDATIONS OF HEALTH CARE FACILITIES; PROVIDING FOR ENFORCEMENT OF THE TERMS AND CONDITIONS OF CERTIFICATES OF PUBLIC ADVANTAGE AUTHORIZING COOPERATIVE, MERGER, OR CONSOLIDATION AGREEMENTS AMONG HEALTH CARE FACILITIES; ESTABLISHING FEES FOR APPLICATIONS FOR CERTIFICATES OF PUBLIC ADVANTAGE AND FOR REPORTS; PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTIONS 17-7-502, 50-4-601, 50-4-602, 50-4-603, AND 50-4-611, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**"

The purpose of House Bill 509 is to permit certificates of public advantage to be issued where cooperative agreements, mergers, or consolidations are likely to result in lower health care costs, or improved access to health

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care or higher quality health care without any undue increase in health care costs. If we are to obtain maximum benefit from health care reform, then physicians as well as health care facilities should be allowed to enter into arrangements likely to result in lower health care costs, improved access, or higher quality health care.

If the assumptions underlying this bill are correct, we should consider adding other types of health care providers to the law in the future. Any arrangement that is likely to reduce costs or improve access should be available to as many persons and organizations that provide health care services to the people of this State as possible.

It is my understanding the Representative Anderson is in agreement with these amendments.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 509

1. Title, line 6.
Following: "**PROVIDERS;**"
Insert: "AUTHORIZING IMPLEMENTATION OF COOPERATIVE AGREEMENTS, MERGERS, AND CONSOLIDATIONS OF PHYSICIANS;"
2. Title, line 8.
Following: "**PROVIDERS**"
Insert: "AND PHYSICIANS"
3. Page 1, lines 19, 21, 23, and 24.
Following: "**providers**"
Insert: "and physicians licensed to practice medicine under Title 37, chapter 3."
4. Page 1, line 29.
Following: "~~(4)~~"
Insert: "(1)"
5. Page 2, line 4.
Following: "~~providers.~~"
Insert: "(2) A physician licensed to practice medicine under Title 37, chapter 3 may enter into a cooperative agreement with one or more physicians licensed to practice medicine under Title 37, chapter 3."
6. Page 3, line 23.
Following: "**FACILITIES**"
Insert: "OR PHYSICIANS"

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

April 10, 1995

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 540, **"AN ACT GENERALLY REVISING THE MONTANA YOUTH COURT ACT AND AMENDING SECTIONS 40-6-233, 41-3-102, 41-5-102, 41-5-304, 41-5-306, 41-5-403, 41-5-514, 41-5-522, 41-5-604, 41-5-802, AND 41-5-811, MCA."**

One of the amendments to the Youth Court Act contained in House Bill 540 deals with fingerprinting and photographing of delinquent youths. Because there were substantial changes made to the introduced bill, one amendment was inadvertently left in, although it is not now appropriate.

Under existing law, a delinquent youth may be fingerprinted or photographed for criminal identification purposes for several reasons, including when the youth is "arrested for conduct alleged to be unlawful that would be a felony if committed by an adult." As the bill now reads, a delinquent youth may be fingerprinted or photographed only if the youth is "arrested for felony."

In a youth court, however, a youth who allegedly violates the law is not charged with the offense itself, but rather as a "delinquent youth." While existing law would allow fingerprinting and photographs for serious offenses by youths, the amendment would prohibit these identification practices altogether, except in those few cases where a case is transferred from youth court to a criminal court.

The amendment I have proposed will correct this oversight. Representative Molnar, the sponsor of House Bill 540, is in agreement with this amendment.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 540

1. Page 23, line 11.
Following: "~~would be~~"
Insert: "conduct alleged to be unlawful that would be"
Following: "felony"
Insert: "if committed by an adult"

MOTIONS

Representative Stovall moved he be allowed to record his votes on third reading this legislative day. Motion carried.

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HB 591 - Representative Bohlinger moved he be allowed to change his vote on HB 591, second reading, from nay to aye. Motion carried.

SB 136 - Representative Herron moved he be allowed to change his vote on SB 136, third reading, from nay to aye. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 10:00 a.m., Tuesday, April 11, 1995. Motion carried.

House adjourned at 3:30 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

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Helena, Montana
April 11, 1995

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Richard Simpkins. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/10/95
Examined by the sponsor and found to be correct: HB 17.
Examined by the sponsor and found to be correct: HB 574. 4/11/95
Signed by the Speaker at 5:13 p.m., 4/10/95: HB 17, HB 158, HB 209, HB 298, HB 309, HB 338, HB 482, HB 514, HB 561, HB 562, HB 577, HB 578, HB 588, HB 600, HJR 9.
Delivered to the Governor for his approval at 8:30 a.m., 4/11/95: HB 195, HB 366, HB 462, HB 484, HB 490, HB 533, HB 603.

HUMAN SERVICES & AGING (Grimes, Chairman): 4/10/95
SJR 21, be concurred in. Report adopted.

STATE ADMINISTRATION (Simpkins, Chairman): 4/10/95
SJR 22, be concurred in. Report adopted.

SJR 23, be concurred in. Report adopted.

SJR 24, be concurred in. Report adopted.

SJR 25, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Conference Committee
on House Bill 24
Report No. 1, April 10, 1995

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 24, met and considered:

1. Page 1, line 26.

Strike: "EACH"

Insert: "The composition of each"

2. Page 1, line 26.

Following: "subcommittee"

Insert: "must be as follows:.

(a) Four members of the House, no more than two of whom may be of one political party; and

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(b) Four members of the senate, no more than two of whom may be of one political party."

3. Page 2, lines 6 through 12.

Strike: Lines 6 through 12 in their entirety

We recommend that these amendments be acceded to by the senate.

And this Conference Committee report be adopted.

For the House:

R. Johnson, Chairman
Ahner
Barnhart

For the Senate:

Harding, Chairman
Crippen
Weldon

Conference Committee
on Senate Bill 127
Report No. 1, April 10, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 127, met and considered:

1. Page 3, line 16.

Following: "(1)(c)"

Insert: "and the costs of administering this section"

And that this Conference Committee report be adopted.

For the Senate:

Bishop, Chairman
Estrada
L. Nelson

For the House:

Anderson, Chairman
Tash
Wyatt

Free Conference Committee
on Senate Bill 292
Report No. 1, April 7, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 292, met and considered:

1. Page 3, line 11.

Following: "undergo"

Insert: "or not to undergo"

And that this Free Conference Committee report be adopted.

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For the Senate:

Brown, Chairman
Crippen
Brooke

For the House:

Grimes, Chairman
McGee
Peck

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 10, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 531 sponsored by Representatives Orr et al. on April 10, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

April 10, 1995

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 421, "AN ACT REVISING THE LAWS ON COUNTY HOSPITALS; PROVIDING FOR COUNTY HEALTH CARE FACILITIES; PROVIDING FOR THE PLEDGE OF TAXES TO THE REPAYMENT OF CERTAIN BONDS; AUTHORIZING THE CONSTRUCTION, LEASING, AND FINANCING OF HEALTH CARE FACILITIES; CLARIFYING THAT CERTAIN BONDS MAY BE ISSUED WITHOUT AN ELECTION; AMENDING SECTIONS 7-6-2512, 7-8-2101, 7-8-2103, 7-34-2201, 7-34-2202, 7-34-2203, 7-34-2204, 7-34-2301, 7-34-2303, 7-34-2401, 7-34-2402, 7-34-2411, 7-34-2414, 7-34-2415, 7-34-2416, 7-34-2417, 7-34-2418, 7-34-2501, AND 53-2-802, MCA; REPEALING SECTIONS 7-34-2302 AND 7-34-2412, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 421 addresses the authority counties have with respect to providing for health care facilities. It also contains a provision that allows counties to construct and operate a boarding home for the aged or infirm that does not constitute a health care facility. Under section 50-5-1-1 (19), MCA, however, a boarding home for the infirm would likely constitute a health care facility because the term "infirm" implies sickness and the provision of health

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services. If the boarding home were providing services to address sickness, the boarding home would be considered a health care facility for purposes of licensure under section 50-5-201, MCA.

Without an amendment, it could be argued that a boarding home for the infirm providing some degree of health care service is not required to obtain a license because it is not a health care facility. The amendment would also clarify that a boarding home for the aged does not constitute a health care facility.

The sponsor of House Bill 421, Representative Ewer, is in agreement that these amendments would solve the potential confusion noted above.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 421

1. Page 4, line 21.
Page 4, line 29.
Page 5, line 24.
Page 8, line 21.

Following: "aged"

Strike: "or infirm"

Representative Grinde moved the House recess until 10:45 a.m. Motion carried.

House recessed at 10:10 a.m.

House reconvened at 10:50 a.m. Mr. Speaker in the Chair.

Representatives Galvin and Tash excused at this time.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 206
Report No. 1, April 10, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 206, met and considered:

SB 206 (reference copy - salmon) in its entirety

We recommend that SB 206 (reference copy - salmon) be amended as follows:

1. Page 3, line 15.

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Strike: "AND"

2. Page 3, line 21.

Following: "associate"

Insert: "; and

(e) ensure that there is no forced removal of a child from the family based solely on an unsubstantiated allegation of abuse or neglect"

3. Page 3, line 27.

Strike: "free from proselytism"

Insert: "whenever appropriate"

4. Page 5, line 18.

Following: line 17

Insert: "(c) induces or attempts to induce a child into giving untrue testimony that the child or another child was abused or neglected by a parent or person responsible for the child's weifare;"

Renumber: subsequent subsections

5. Page 6, lines 12 through 16.

Strike: subsection (12) in its entirety

Renumber: subsequent subsections

6. Page 6, lines 26 and 27.

Strike: "whose" on line 26 through "both" on line 27

Insert: "who, prior to the employee's field assignment, has been educated or trained or is receiving education or training in a program of social work or a related field that includes cognitive and family systems treatment or who has equivalent verified experience or verified training in the investigation of child abuse, neglect, and endangerment. This definition does not apply to any provision of this code that is not in this chapter"

7. Page 7, line 14.

Strike "(17)"

Insert "(16)"

And that this Free Conference Committee report be adopted.

For the Senate:

Burnett, Chairman

Baer

Doherty

For the House:

Simpkins, Chairman

Soft

McCann

Conference Committee
on Senate Bill 386
Report No. 1, April 11, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 386, met and considered:

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1. Page 3, lines 14 and 15.

Strike: first "THE" on line 14 through "ACT"

2. Page 3, lines 16 and 18.

Strike: "with"

Insert: "that was installed as of [the effective date of this act], that has"

Following: "less"

Insert: ", and"

3. Page 3, line 20.

Following: "pipes"

Insert: "that were installed as of [the effective date of this act] and that are"

4. Page 7, lines 22 and 23.

Strike: "AND" on line 22 through "TERMINATE" on line 23

Insert: "]" terminates"

And that this Conference Committee report be adopted.

For the Senate:

Devlin, Chairman

Crismore

Weldon

For the House:

Story, Chairman

Taylor

Swanson

MESSAGES FROM THE SENATE

The Senate, on 4/11/95, failed to concur in House amendments to SB 39 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 39.

President Brown appointed the following members:

Senator Grosfield, Chairman

Senator Holden

Senator Halligan

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown

President of the Senate

State Capitol

Helena MT 59620

April 11, 1995

The Honorable John Mercer

Speaker of the House

State Capitol

Helena MT 59620

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Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the constitution and laws of the State of Montana, I hereby return House Bill 89, "AN ACT GENERALLY REVISING THE VITAL STATISTICS LAWS TO STANDARDIZE PROCEDURES AND TO CONFORM TO NATIONAL STANDARDS; CLARIFYING THE INFORMATION AVAILABLE FROM THE SYSTEM OF VITAL STATISTICS; REVISING BIRTH REGISTRATION REQUIREMENTS; REVISING PROCEDURES AND CRITERIA FOR ISSUING A DELAYED OR ALTERED BIRTH CERTIFICATE; REVISING THE JUDICIAL PROCEDURE FOR ESTABLISHING THE FACTS OF BIRTH; REVISING THE LAWS GOVERNING CERTIFICATES OF ADOPTION AND ANNULMENT OF ADOPTION; PROVIDING FOR CERTIFICATES OF FOREIGN BIRTH; REVISING THE LAWS FOR CERTIFICATES OF BIRTH FOLLOWING ADOPTION, LEGITIMATION, OR ESTABLISHMENT OF PATERNITY; REVISING STANDARDS FOR PRESERVING VITAL RECORDS; REVISING THE CONTENT OF VITAL RECORDS; AMENDING SECTIONS 37-27-321, 40-8-126, 50-15-101, 50-15-102, 50-15-103, 50-15-111, 50-15-204, 50-15-303, 50-15-403, 50-15-405, AND 50-16-542, MCA; REPEALING SECTIONS 50-15-110, 50-15-112, 50-15-113, 50-15-201, 50-15-205, AND 50-15-206, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

House Bill 89 contains a provision that addresses who may examine and copy certain health care information. Under some circumstances, the provider may deny a patient's request for examination and copying of the information. An amendment to require the provider, in those cases, to disclose the information to the patient's family or guardian was inadvertently placed in the wrong section.

Representative Peck, the sponsor of House Bill 89, is in agreement that these amendments will correct the error.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 89

1. Page 17, line 7.

Strike: "THE PATIENT'S SPOUSE, ADULT CHILDREN, PARENTS, OR"

2. Page 20, line 8.

Following: "by"

Insert: " the patient's spouse, adult child, or parent or guardian or by"

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brainard in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 4 - Representative Zook moved Senate amendments to HB 4 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 88

Noes: Boharski, DeBruycker, Denny, Jore, Martinez, Peck, Rehbein, S. Smith, Somerville, Vick, Wells.
Total 11

Voted Absentee: Galvin, Tash, Ayes.

Excused: None.
Total 0

Absent or not voting: Wiseman.
Total 1

Representative Tash present at this time.

HB 6 - Representative Bergsagel moved Senate amendments to HB 6 be not concurred in.

Representative Bergsagel moved consideration of HB 6 be placed at the bottom of the second reading board. Motion carried.

HB 576 - Representative Grady moved Senate amendments to HB 576 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Cobb, DeBruycker, Jore, McCann.
Total 5

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 528 - Representative Taylor moved Senate amendments to HB 528 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Raney, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 92

Noes: Elliott, Galvin, Harrington, Hurdle, Kottel, Quilici, Ream, Shea.
Total 8

Voted Absentee: Galvin, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 268 - Representative Ahner moved Senate amendments to HB 268 be concurred in. Motion failed as follows:

Ayes: Ahner, Arnott, Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Hagener, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Masolo, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, L. Smith, Soft, Squires, Swanson, Tropila, Tuss, Wagner, Wennemar, Wyatt.
Total 46

Noes: Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fuchs, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, McCann, McGee, McKee, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Sliter, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wells, Wiseman, Zook, Mr. Speaker.
Total 53

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: Mills.

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Total 1

HB 497 - Representative Bohlinger moved Senate amendments to HB 497 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 98

Noes: Ryan, Wyatt.

Total 2

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 90 - Representative Feland moved Senate amendments to HB 90 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Knox, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Raney, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Carey, Cocchiarella, Denny, Ellingson, Ewer, Fisher, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Kottel, McCulloch, Menahan, Pavlovich, Peck, Ream, Ryan, Schwinden, Shea, Squires, Tuss, Wennemar, Wyatt.

Total 26

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Kitzenberg.

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Total 1

HB 293 - Representative Ream moved Senate amendments to HB 293 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Bergsagel, Kasten, Molnar, Murdock, Rehbein.

Total 5

Excused: Galvin.

Total 1

Absent or not voting: Ohs.

Total 1

HB 449 - Representative Swanson moved Senate amendments to HB 449 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cobb, DeBruycker, Molnar, Tuss.

Total 5

Excused: Galvin.

Total 1

Absent or not voting: None.

Total 0

HB 587 - Representative Quilici moved Senate amendments to HB 587 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey,

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Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.

Total 0

Excused: Galvin.

Total 1

Absent or not voting: None.

Total 0

HB 157 - Representative Denny moved the free conference committee report to HB 157 be adopted. Motion carried as follows:

Ayes: Ahner, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Arnott, Cobb, Kasten, Rehbein.

Total 4

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Anderson.

Total 1

SB 38 - Representative R. Johnson moved the free conference committee report to SB 38 be adopted. Motion carried as follows:

Ayes: Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson,

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R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 85

Noes: Arnott, Bergsagel, Brainard, Cobb, DeBruycker, Heavy Runner, Jore, McCann, Rehbein, S. Smith, Somerville, Tuss, Vick, Wyatt.

Total 14

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Ahner.

Total 1

SB 346 - Representative Knox moved the free conference committee report to SB 346 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: DeBruycker, Hurdle.

Total 2

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Ohs.

Total 1

Representative S. Smith excused at this time.

SB 345 - Representative Orr moved the conference committee report to SB 345 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Brainard, Clark, Cocchiarella, Curtiss, DeBruycker, Denny,

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Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, M. Hanson, Harrington, Hayne, Herron, Holland, R. Johnson, Jore, Keenan, Knox, Larson, Marshall, Martinez, Masolo, McGee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Quilici, Rehbein, Rose, Shea, Simpkins, L. Smith, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wiseman, Zook, Mr. Speaker.

Total 59

Noes: Arnott, Barnhart, Bergsagel, Boharski, Carey, Cobb, Ellingson, Elliott, Ewer, Hagener, Harper, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Kottel, McCann, McCulloch, McKee, Nelson, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Simon, S. Smith, Soft, Squires, Tropila, Tuss, Vick, Wagner, Wennemar, Wyatt.

Total 39

Voted Absentee: Galvin, Aye; S. Smith, No.

Excused: None.

Total 0

Absent or not voting: H.S. Hanson, Sliter.

Total 2

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brainard moved that the Committee of the Whole report be adopted. Report adopted. (63-34)

MOTIONS

HB 5 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 5. Motion carried.

Mr. Speaker appointed the following members:

Representative Grady, Chairman
Representative Bergsagel
Representative McCann

HB 9 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 9. Motion carried.

Mr. Speaker appointed the following members:

Representative Bergsagel, Chairman
Representative Vick
Representative McCulloch

HB 15 - Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 15. Motion carried.

Mr. Speaker appointed the following members:

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Representative Kasten, Chairman
Representative Bergsagel
Representative McCann

Representative Grinde moved to reconsider its action on HB 15 and appoint a free conference committee.

Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 15. Motion carried.

Mr. Speaker appointed the following members:

Representative Kasten, Chairman
Representative Bergsagel
Representative McCann

HB 90 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 90. Motion carried.

Mr. Speaker appointed the following members:

Representative Feland, Chairman
Representative Rose
Representative Peck

HB 268 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 268. Motion carried.

Mr. Speaker appointed the following members:

Representative Rehbein, Chairman
Representative Green
Representative Squires

HB 497 - Representative Grinde moved the House appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 497. Motion carried.

Mr. Speaker appointed the following members:

Representative Hibbard, Chairman
Representative Orr
Representative Barnhart

HB 528 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 528. Motion carried.

Mr. Speaker appointed the following members:

Representative M. Hanson, Chairman

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Representative Taylor
Representative J. Johnson

Representative Grinde moved the House recess until 2:00 p.m. Motion carried.

House recessed at 1:05 p.m.

House reconvened at 2:05 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brainard in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 6 - Representative Grinde moved consideration of HB 6 be placed at the top of the second reading board. Motion carried.

Representative S. Smith present at this time.

Representative Bergsagel moved Senate amendments to HB 6 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Curtiss, Denny, Devaney, Ellis, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 78

Noes: Arnott, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fisher, Harper, Harrington, Heavy Runner, Hurdle, Ream, Squires, Tropila, Wennemar.

Total 16

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Feland, Fuchs, Kottel, Ryan, Tuss, Wyatt.

Total 6

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brainard moved that the Committee of

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the Whole report be adopted. Report adopted. (75-15)

MOTIONS

HB 6 - Representative Grinde moved the House appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 6. Motion carried.

Mr. Speaker appointed the following members:

Representative Bergsagel, Chairman
Representative Devaney
Representative Hagener

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Brainard in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 200 - Representative Ellis moved the free conference committee report to HB 200 be adopted. Motion carried as follows:

Ayes: Anderson, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Ahner, Arnott, Barnett, Boharski, Brainard, Cobb, Curtiss, DeBruycker, Feland, Fisher, Green, Herron, Jore, Kadas, Kasten, McGee, Menahan, Mills, Molnar, L. Smith, S. Smith, Vick, Wagner, Wells, Wiseman.
Total 25

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: Martinez.
Total 1

HB 3 - Representative Zook moved Senate amendments to HB 3 be concurred in. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Boharski, Cobb, Ellingson, Peck, Rehbein, S. Smith.

Total 6

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 479 - Representative Arnott moved Senate amendments to HB 479 be concurred in. Motion failed as follows:

Ayes: Ahner, Arnott, Barnett, Bohlinger, Brainard, Cobb, Cocchiarella, Curtiss, DeBruycker, Ewer, Feland, Fisher, Grimes, Hagener, H.S. Hanson, Harper, Heavy Runner, R. Johnson, Kasten, Keenan, Larson, Masolo, McKee, Molnar, Murdock, Ohs, Orr, Pavlovich, Peck, Raney, Ryan, Shea, Soft, Vick, Wagner, Wennemar, Wiseman, Wyatt.

Total 38

Noes: Anderson, Barnhart, Bergman, Bergsagel, Boharski, Carey, Clark, Denny, Devaney, Ellingson, Elliott, Ellis, Forbes, Fuchs, Galvin, Grady, Green, Grinde, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, Menahan, Mills, Nelson, Quilici, Ream, Rehbein, Rose, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Zook, Mr. Speaker.

Total 62

Voted Absentee: Galvin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 24 - Representative R. Johnson moved the conference committee report to HB 24 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey,

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Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: DeBruycker.
Total 1

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: Molnar, Stovall.
Total 2

HB 308 - Representative Ewer moved the free conference committee report to HB 308 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 90

Noes: Boharski, DeBruycker, Feland, R. Johnson, Kadas, Rehbein, S. Smith, Tuss, Wennemar.
Total 9

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: Stovall.
Total 1

SB 127 - Representative Anderson moved the conference committee report to SB 127 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb,

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Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Boharski, Feland, Jore.

Total 3

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 - Representative Hibbard moved the conference committee report to SB 198 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Arnott, Boharski, DeBruycker, Fisher, Jore, Peck, Rehbein, S. Smith, Vick.

Total 9

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Molnar.

Total 1

SB 206 - Representative Soft moved the free conference committee report to SB 206 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey,

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Total 89

Noes: Cocchiarella, Ellingson, Galvin, Heavy Runner, Hurdle, Masolo, McCulloch, Peck, Squires, Tuss, Wyatt.

Total 11

Voted Absentee: Galvin, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 292 - Representative Grimes moved the free conference committee report to SB 292 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergsagel, Boharski, Cobb, DeBruycker, Ellingson, R. Johnson, Jore, Schwinden, Taylor, Tuss.

Total 10

Excused: Galvin.

Total 1

Absent or not voting: Grady.

Total 1

SB 386 - Representative Story moved the conference committee report to SB 386 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne,

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Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Heavy Runner, Hurdle, Marshall, Peck, Tropila, Wennemar.

Total 6

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Grady.

Total 1

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Brainard moved that the Committee of the Whole report be adopted. Report adopted. (81-16)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 418, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 92

Noes: Arnott, Jore, Molnar, Vick, Wagner.

Total 5

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Cocchiarella, Hurdle, Kottel.

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Total 3

HB 543, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, McCann, McCulloch, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Story, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 34

Voted Absentee: Galvin, No.

Excused: None.

Total 0

Absent or not voting: Marshall.

Total 1

HB 547, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Jore, Rehbein.

Total 2

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 56, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 95

Noes: Boharski, Martinez, Somerville.

Total 3

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Ellis, Grady.

Total 2

SB 83, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 96

Noes: Clark, Ream, Wennemar, Wyatt.

Total 4

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 8, conference committee report, adopted as follows:

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Ayes: Ahner, Anderson, Barnhart, Bergsagel, Bohlinger, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Hayne, Hibbard, Holland, R. Johnson, Kasten, Keenan, Knox, Martinez, Masolo, McCann, McCulloch, McKee, Mills, Murdock, Nelson, Ohs, Orr, Rose, Ryan, Simon, Simpkins, L. Smith, Soft, Somerville, Stovall, Swanson, Tash, Wagner, Wells, Wiseman, Wyatt, Zook.

Total 53

Noes: Arnott, Barnett, Bergman, Brainard, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kitzenberg, Kottel, Larson, McGee, Menahan, Molnar, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Schwinden, Shea, Sliter, Squires, Story, Trexler, Tropila, Tuss, Vick, Wennemar, Mr. Speaker.

Total 42

Voted Absentee: Galvin, No.

Excused: None.

Total 0

Absent or not voting: Boharski, Herron, Marshall, S. Smith, Taylor.

Total 5

HB 493 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 89

Noes: Boharski, DeBruycker, Fuchs, Jore, Kasten, Rehbein, L. Smith, S. Smith, Vick, Wagner.

Total 10

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

HB 524 - as amended by the Senate not concurred in as follows:

Ayes: Ahner, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Ellingson, Ewer, Fisher, Galvin, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, R. Johnson, Kadas, Kitzenberg, Kottel, Larson,

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Marshall, Masolo, McCann, McKee, Mills, Murdock, Nelson, Ohs, Peck, Ream, Ryan, Schwinden, Simon, Sliter, Somerville, Swanson, Taylor, Trexler, Wennemar, Wiseman, Wyatt, Mr. Speaker.

Total 44

Noes: Anderson, Arnott, Barnett, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Grady, Green, Grimes, Grinde, H.S. Hanson, Hayne, Herron, Holland, Jore, Kasten, Keenan, Knox, Martinez, McGee, Menahan, Molnar, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Shea, Simpkins, S. Smith, Soft, Story, Stovall, Tash, Tropila, Tuss, Vick, Wagner, Wells, Zook.

Total 50

Voted Absentee: Galvin, Aye.

Excused: None.

Total 0

Absent or not voting: Elliott, Fuchs, J. Johnson, McCulloch, L. Smith, Squires.

Total 6

HB 565 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 95

Noes: Galvin, Hagener, Peck, Wyatt.

Total 4

Voted Absentee: Galvin, No.

Excused: None.

Total 0

Absent or not voting: Ohs.

Total 1

HB 569 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck,

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Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 87

Noes: Barnhart, Brainard, Cobb, Fisher, Jore, Kasten, Marshall, Raney, Tuss, Wagner, Wyatt.
Total 11

Voted Absentee: Galvin, Aye.

Excused: None.
Total 0

Absent or not voting: Arnott, Forbes.
Total 2

HB 598 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Fisher, Molnar, Murdock.
Total 4

Excused: Galvin.
Total 1

Absent or not voting: Mills.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/11/95
Correctly enrolled: HB 68, HB 136, HB 358, HB 460, HB 504, HB 550, HB 601, HB 602.
Examined by the sponsor and found to be correct: HB 68, HB 136, HB 358, HB 460, HB 504, HB 550, HB 601, HB 602.
Signed by the Speaker at 3:12 p.m., 4/11/95: HB 68, HB 136, HB 358, HB 448, HB 460, HB 504, HB 550, HB 574, HB 601, HB 602.
Delivered to the Governor for his approval at 2:30 p.m., 4/11/95: HB 17, HB 158, HB 209, HB 298, HB 309, HB 338, HB 482, HB 514, HB 561, HB 562, HB 577, HB 578, HB 588, HB 600.

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REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill 333
Report No. 1, April 11, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 333, met and considered:

House Committee on Judiciary amendments to the third reading copy, dated March 23, 1995.

We recommend that SB 333 (reference copy - salmon) be amended as follows:

1. Page 4, lines 13 and 14.

Strike: "INCLUDE" on line 13 through "COUNSELOR" on line 14

Insert: "be followed by monthly monitoring"

2. Page 4, lines 15 through 17.

Strike: "MAY NOT" on line 15 through "SUBSECTION" on line 17

Insert: "or counselor may not require attendance at a self-help program other than at an "open meeting" as that term is defined by the self-help program. A defendant may voluntarily participate in self-help programs"

And that this Conference Committee report be adopted.

For the Senate:

Bishop, Chairman
Jabs
Van Valkenburg

For the House:

Somerville, Chairman
McGee
Carey

Conference Committee
on Senate Bill 398
Report No. 1, April 11, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 398, met and considered:

1. Title, line 22.

Strike: "2-4-402,"

2. Title, line 25.

Strike: "5-12-202,"

3. Title, line 27.

Following: "5-15-104,"

Insert: "5-16-101,"

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Strike: "5-18-108," through "5-18-115,"

4. Title, line 28.

Strike: "15-70-234, 16-2-101,"

5. Title, lines 29 and 30.

Strike: "72-16-447," through "72-16-450,"

6. Title, page 2, line 1.

Following: "90-4-310,"

Insert: "AND"

Following: "90-4-313"

Strike: "AND 90-8-311"

7. Title, page 2, lines 2 and 3.

Strike: "5-18-101," through "5-18-107,"

8. Page 4, line 5.

Strike: "and"

9. Page 4.

Following: line 5

Insert: "(10) the revenue oversight committee established by 5-18-102; and"

Renumber: subsequent subsection

10. Page 5, line 1 through line 17.

Strike: Section 8 in its entirety

Renumber: subsequent sections

11. Page 11, lines 19 and 20.

Following: "~~party~~" on line 19

Strike: "a member"

Insert: "and four members"

Following: "house,"

Strike: "and" through "house" on line 20

Insert: "no more than two of whom may be of the same political party"

12. Page 11, lines 23 and 24.

Following: line 22

Strike: "a member"

Insert: "and four members"

Following: "by the"

Strike: "president" through "senate" on line 24

Insert: "committee on committees, no more than two of whom may be of the same political party"

13. Page 11, line 25.

Strike: "two"

Insert: "three"

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14. Page 12, line 15.

Following: "(b)"

Insert: "with the concurrence of the legislative audit committee and the legislative finance committee,"

15. Page 12, line 17.

Following: "(c)"

Insert: "with the concurrence of the legislative audit committee and the legislative finance committee,"

16. Page 18, line 15.

Following: "council"

Insert: ", within the limits of appropriations,"

17. Page 20, line 13 through line 29.

Strike: section 37 in its entirety

Renumber: subsequent sections

18. Page 21, line 16.

Strike: ". "

Insert: ". "

19. Page 21, line 17 through page 23, line 16.

Strike: subsections (4) through (9) in their entirety

20. Page 24, line 5.

Following: "(4)"

Insert: "for the legislative session convening in January 1997,"

21. Page 24, lines 8 and 9.

Strike: "report" on line 8 through "analyst" on line 9

Insert: "presentation"

Following: "analysis"

Strike: "report"

Insert: "presentation"

22. Page 24, line 10.

Strike: "in a" through "1 week"

23. Page 24, line 11.

Strike: "report"

Insert: "presentation"

24. Page 24, line 13.

Following: "analyst."

Insert: "This section does not prohibit the legislative fiscal analyst from including any analysis and comments on any portion of the executive budget in the combined budget and budget analysis presentation."

25. Page 24, line 16.

Strike: "and"

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26. Page 24, line 18.

Strike: " _ "

27. Page 24, line 20.

Following: " _ "

Insert: "; and (7) assist the revenue oversight committee in performing its revenue estimating duties under 5-18-107(5)."

28. Page 29, line 4.

Following: line 4

Insert: "Section 49. Section 5-16-101, MCA, is amended to read:

"5-16-101. Appointment and composition. The environmental quality council ~~shall consist~~ consists of ~~13~~ 17 members ~~to be~~ as follows:

(1) the governor or ~~his~~ the governor's designated representative ~~shall be~~ is an ex officio member of the council and shall participate in council meetings as a nonvoting member;

(2) ~~four~~ six members of the senate and ~~four~~ six members of the house of representatives appointed before the 50th legislative day in the same manner as standing committees of the respective houses are appointed. No more than ~~two~~ three of the appointees of each house ~~shall~~ may be members of the same political party.

(3) four members of the general public. Two public members ~~shall~~ must be appointed by the speaker of the house with the consent of the house minority leader, and two ~~shall~~ must be appointed by the president of the senate with the consent of the senate minority leader.""

Renumber: subsequent sections

29. Page 29, line 20 through page 30, line 14.

Strike: sections 52 through 55 in their entirety

Renumber: subsequent sections

30. Page 33, line 5 through page 37, line 3.

Strike: sections 61 and 62 in their entirety

Renumber: subsequent sections

31. Page 47, line 23 through page 49, line 16.

Strike: sections 74 through 76 in their entirety

Renumber: subsequent sections

32. Page 52, line 9.

Strike: "assign"

Insert: "provide"

Strike: "employees"

Strike: "to"

Following: "support"

Insert: "to"

33. Page 52, line 11.

Strike: "committee"

Insert: "environmental quality council"

34. Page 52, line 13.

Strike: "coordinate"

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Insert: "supervise"

35. Page 52, line 14.

Strike: "support services provided"

Insert: "assigned"

Following: "council."

Insert: "The environmental quality council shall select the legislative environmental analyst with the concurrence of the legislative council."

36. Page 63, line 30 through page 64, line 3.

Strike: section 90 in its entirety

Renumber: subsequent sections

37. Page 64, lines 9 and 10.

Strike: "must" through "appointed" on line 10

38. Page 64, line 10.

Following: "5-11-101,"

Strike: "and"

39. Page 64, line 11.

Following: "5-12-202,"

Insert: "the members of the legislative audit committee, as provided in 5-13-202, and the members of the environmental quality council, as provided in 5-16-101, must be appointed"

40. Page 64, line 27.

Strike: "5-18-101" through "5-18-107,"

41. Page 64, line 30.

Strike: "17, 37, 92,"

Insert: "16, 42, 49, and 81"

And that this Conference Committee report be adopted.

For the Senate:

Gage, Chairman

Crippen

Jergeson

For the House:

H. Hanson, Chairman

Grinde

Cocchiarella

MESSAGES FROM THE SENATE

Free conference committee report #1 adopted:

4/11/95

HB 418, introduced by Devaney

HB 446, introduced by Orr

HB 543, introduced by Wagner

HB 547, introduced by Clark

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The Senate, on 4/11/95, failed to concur in House amendments to SB 136 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 136.

President Brown appointed the following members:

Senator Baer, Chairman
Senator Grosfield
Senator Eck

House amendments to Senate bills concurred in:

4/11/95

SB 358, introduced by Halligan
SB 409, introduced by Hargrove

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 5.

President Brown appointed the following members:

Senator Harding, Chairman
Senator Beck
Senator Christiaens

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 9.

President Brown appointed the following members:

Senator Harding, Chairman
Senator Beck
Senator Christiaens

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 15.

President Brown appointed the following members:

Senator Harding, Chairman
Senator Beck
Senator Christiaens

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 90.

President Brown appointed the following members:

Senator Foster, Chairman
Senator Cole

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Senator L. Nelson

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 268.

President Brown appointed the following members:

Senator Devlin, Chairman
Senator Jenkins
Senator Wilson

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 497.

President Brown appointed the following members:

Senator Harp, Chairman
Senator Hargrove
Senator Stang

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 314.

President Brown appointed the following members:

Senator Swysgood, Chairman
Senator Mohl
Senator Stang

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 11, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 347 sponsored by Representatives Kottel et al. on April 11, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable Bob Brown
President of the Senate
State Capitol

April 11, 1995

HOUSE JOURNAL
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Helena MT 59620

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 445, **"AN ACT ESTABLISHING A NOXIOUS WEED SEED FREE FORAGE PROGRAM AND ADVISORY COUNCIL ESTABLISHING THE POWERS, DUTIES, AND RULEMAKING AUTHORITY OF THE DEPARTMENT OF AGRICULTURE IN ADMINISTERING THE PROGRAM; AUTHORIZING APPLICABLE FEES; PROVIDING FOR ENFORCEMENT AUTHORITY AND FOR PENALTIES, ORDERS, INJUNCTIONS, AND EMBARGOES APPLICABLE TO THE PROGRAM; AMENDING SECTION 7-22-2126, MCA; AND PROVIDING EFFECTIVE DATES."**

House Bill 445 provides for the establishment of a noxious weed seed free forage program. The bill authorizes the Department of Agriculture to appoint an advisory council to provide advice concerning the administration of the program.

The bill specifies the make-up of the council, but inadvertently includes the Director of the Montana State University Extension Service twice. The intent of the bill was to include both the Director of the Extension Service and the Director of the Agricultural Experiment Station. The amendments are consistent with the intent.

Representative Grady, the sponsor of House Bill 445, is in agreement that these amendments correct the inadvertent error in the bill.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 445

1. Page 4, lines 3 and 4.
Strike: "EXTENSION" on line 3 through "SERVICE" on line 4.
Insert "experiment station or a designated representative"
2. Page 5, line 19.
Page 6, line 29.
Strike: "BASED ON"
Insert: "with"

MOTIONS

Representative Grinde moved the House accede to the request of the Senate to appoint a free conference committee

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to meet with a like committee from the Senate to confer on House amendments to SB 136. Motion carried.

Mr. Speaker appointed the following members:

Representative Denny, Chairman
Representative Forbes
Representative Cocchiarella

HB 268 - Representative L. Smith moved she be allowed to change her vote on HB 268, third reading, from nay to aye. Motion carried.

SB 292 - Representative Bohlinger moved he be allowed to change his vote on SB 292, second reading, from nay to aye. Motion carried.

HB 547 - Representative McGee moved he be allowed to change his vote on HB 547, third reading, from nay to aye. Motion carried.

SB 419 - Representative McCann moved SB 419 be taken from the table in the Committee on Taxation, printed, and placed on second reading this legislative day. Motion failed. (46-48)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 10:00 a.m., Wednesday, April 12, 1995. Motion carried.

House adjourned at 4:15 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

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Helena, Montana
April 12, 1995

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Gay Ann Masolo. Pledge of Allegiance to the Flag.

Roll call. All members present except Representatives Cobb, Pavlovich, excused. Quorum present.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 90
Report No. 1, April 11, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 90, met and considered:

1. Title, line 4.

Strike: "2"

Insert: "3"

2. Page 8, lines 5, 10, 25.

Strike: "2"

Insert: "3"

We recommend that the amendments considered above to House Bill 90 be acceded to by the Senate.

And this Conference Committee report be adopted.

For the House:

Feland, Chairman
Rose
Peck

For the Senate:

Foster, Chairman
Cole
L. Nelson

Free Conference Committee
on Senate Bill 362
Report No. 1, April 11, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 362, met and considered:

1. Page 2, line 1.

Following: "the"

Insert: "ground water"

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2. Page 2, line 2.

Strike: "DESCRIBED" through "MONTANA"

Insert: "adopted under subsections (1) through (4)"

3. Page 3, line 3.

Following: "the"

Insert: "ground water"

4. Page 3, line 4.

Strike: "authorized"

Insert: "adopted"

Strike: "subsection (1)"

Insert: "subsections (1) through (4)"

And that this Free Conference Committee report be adopted.

For the Senate:

Tveit, Chairman

Beck

L. Nelson

For the House:

Tash, Chairman

Sliter

Tuss

MESSAGES FROM THE SENATE

The Senate, on 4/11/95, failed to concur in House amendments to SB 38 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 38.

President Brown appointed the following members:

Senator Benedict, Chairman

Senator Hertel

Senator Lynch

Free conference committee report #1 adopted:

4/11/95

HB 537, introduced by Larson

MESSAGES FROM THE GOVERNOR

The Honorable Bob Brown

President of the Senate

State Capitol

Helena MT 59620

April 11, 1995

The Honorable John Mercer

Speaker of the House

State Capitol

Helena MT 59620

HOUSE JOURNAL
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Dear President Brown and Speaker Mercer:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 201, **"AN ACT REQUIRING THAT ANNUAL SUSTAINABLE YIELD BE USED AS A FACTOR IN THE MANAGEMENT OF FORESTED STATE TRUST LANDS; DEFINING "ANNUAL SUSTAINABLE YIELD" AND ESTABLISHING ANNUAL SUSTAINABLE YIELD AS THE ANNUAL TIMBER SALE REQUIREMENT; PROVIDING FOR DECENNIAL REVIEW OF ANNUAL SUSTAINABLE YIELD; PROVIDING THAT A PORTION OF INCOME FROM SUSTAINABLE YIELD FROM SCHOOL TRUST LAND BE USED TO FUND SCHOOL TECHNOLOGY; AMENDING SECTION 20-9-343, MCA; AND PROVIDING AN EFFECTIVE DATE."**

House Bill 201 directs the Department of State Lands to determine and, with certain exceptions, make available for sale the annual sustainable yield from its forested lands. It also requires that a certain amount of revenue from these sales be available to school districts for acquisition and maintenance of technological equipment.

As the bill passed the House, Section 1 defined "annual sustainable yield" as the amount of timber that can be harvested from state forested land, taking into consideration replacement tree growth and in accordance with applicable state and federal laws. However, the Senate amendment to Section 1 lists the laws that the Department can consider in determining annual sustainable yield and by implication excludes all other laws. Unfortunately, this exclusion would exempt the Department's timber sale program from compliance with all laws not listed. These include the streamside management zone protection law and other water quality standards.

I believe that the Department should continue to be subject to all regulatory statutes applicable to private landowners, and I understand that the Senate did not intend to create this exemption. My first amendment would clearly provide that the Department is not exempt from these laws. It would also add to the list any regulatory laws requiring maintenance of watersheds.

My second amendment would remove from Section 5 language that appears to require the trustees of a school district to offset technological equipment funds received pursuant to House Bill 201 by reducing another portion of the district's budget. This is contrary to the purpose of House Bill 201, which is to provide school districts with additional funds for acquisition and maintenance of technological equipment.

It is my understanding that Representative Ellis, the sponsor of this legislation, agrees with these amendments. I urge your concurrence in these amendments.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS
TO HOUSE BILL 201

1. Page 1, line 17.

Following: "laws"

Insert: ", including but not limited to the laws"

Following: "WILDLIFE"

Strike: "AND"

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Insert: ", "

Following: "RECREATION"

Insert: ", and maintenance of waterbeds,"

2. Page 3, lines 25 and 26.

Following: "FUND" on line 25

Strike: ", WITHIN THE ADOPTED BUDGET."

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

April 12, 1995

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

Dear Speaker Mercer and President Brown:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 484, **"AN ACT RELATING TO PROVISION OF HEALTH CARE FOR THE WORKING POOR AND MEDICAID RECIPIENTS; REQUIRING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO CONTRACT FOR STUDIES CONCERNING THE FEASIBILITY OF PROVIDING HEALTH CARE CREDITS IN THE FORM OF GRANTS FOR DISABILITY INSURANCE FOR THE WORKING POOR AND THE FEASIBILITY OF CHANGING MEDICAID FROM FEE-FOR-SERVICES COVERAGE TO PRIVATE INSURANCE COVERAGE; SPECIFYING THE CONTENTS OF THE CONTRACTS; REQUIRING REPORTS TO THE LEGISLATURE, THE LEGISLATIVE FINANCE COMMITTEE, AND THE OFFICE OF BUDGET AND PROGRAM PLANNING; REQUIRING THE LEGISLATIVE FINANCE COMMITTEE AND THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO APPLY FOR A MEDICAID WAIVER UPON A DETERMINATION BY THE LEGISLATIVE FINANCE COMMITTEE AND THE OFFICE OF BUDGET AND PROGRAM PLANNING; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."**

The purpose of House Bill 484 is to provide a mechanism for conducting a study to determine the feasibility of converting the current Medicaid program from a publicly administered, fee-for-service system to one that emphasizes private insurance coverage. However, House Bill 484 provides no funding for such a study and includes a requirement that the Department of Social and Rehabilitation Services also evaluate the feasibility of incorporating the "working poor" into such a system.

Much of the impetus for the study of the Medicaid program contained in House Bill 484 has come from the provider community. While I believe that we should explore all avenues that might lead to a more effective and efficient use of scarce state resources, without adequate funding for a comprehensive study of all of the ramifications for changing the Medicaid program, I do not believe we would have the appropriate information upon which to make an informed decision and recommendation to the Legislature.

If the main intent of the bill is to evaluate the Medicaid program, then to maximize available funds and potentially leverage federal funds, the bill should focus just on the Medicaid population. Additionally, it is my belief that the

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Legislative Audit Committee would be a more appropriate forum for analysis of this issue.

Therefore, I am amending House Bill 484 to limit the scope of the study to the Medicaid program, to place responsibility for conducting the study with the Legislative Audit Committee, and to specify that conducting the study will be contingent upon the availability of sufficient funds from private and public sources to adequately fund such a comprehensive analysis.

It is my understanding that the sponsor of the bill, Representative Roger DeBruycker, is in agreement with these amendments.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL No. 484

1. Title, lines 5 and 6.

Strike: "THE WORKING POOR AND"

2. Title, line 7.

Strike: "STUDIES"

Insert: "A STUDY BY THE LEGISLATIVE AUDITOR"

3. Title, lines 7 through 9.

Strike: "PROVIDING" on line 7 through "FEASIBILITY OF" on line 9

4. Title, line 10

Strike: "CONTRACTS"

Insert: "CONTRACT"

5. Title, line 14.

Strike: "LEGISLATIVE FINANCE COMMITTEE AND"

6. Page 1, line 20 through line 17 on page 2.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 2, lines 21 and 22.

Strike: "by competitive" on line 21 through "entity" on line 22

Insert: "if sufficient funds are available from public and private sources, contract with the legislative auditor"

8. Page 2, line 24.

Following: "."

Insert: "(2) The legislative auditor shall advertise for proposals from private offices, firms, partnerships, corporations, and other private business entities for a study of the conversion of the Montana medicaid program provided for in Title 53, chapter 6, to private insurance policies or coverage by health care service

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corporations or health maintenance organizations."

Renumber: subsequent subsections

9. Page 2, line 25.

Strike: "department's"

Insert: "legislative auditor shall, if sufficient funds are available from public and private sources, contract with the private entity submitting the best proposal. The legislative auditor's"

10. Page 2, line 26.

Strike: "(2)"

Insert: "(3)"

11. Page 3, line 16.

Page 3, line 17

Strike: "department"

Insert: "legislative auditor"

12. Page 3, line 18.

Strike: "department or"

Insert: "legislative auditor, the department of social and rehabilitation services, and"

13. Page 3, line 20.

Strike: "department"

Insert: "legislative auditor"

14. Page 3, line 22.

Strike: "1997"

Insert: "1996"

15. Page 3, line 25.

Strike: "STUDIES"

Insert: "study"

16. Page 3, line 26.

Strike: "[SECTIONS 1 AND 2]"

Insert: "[section 1]"

17. Page 3, line 30..

Strike: "REPORTS"

Insert: "report"

Strike: "[SECTIONS 1 AND 2]"

Insert: "[section 1]"

18. Page 4, line 25.

Strike: "1997"

Insert: "1996"

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Representative Pavlovich present at this time.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

SPECIAL ORDERS OF THE DAY

Representative Shea presented the following statement:

Mr. Speaker and members of the body, if I could have your attention and a moment of silence.

Today in Representative Quilici's, Representative Harrington's, Representative Pavlovich's and my home town of Butte they are dedicating the Jeremy Bullock soccer field, and Senator Lynch and I have been asked to read this tribute on the floor of the House and Senate in memory of Jeremy.

There is nothing more infectious than a child's laugh.
Nothing more disarming than the innocence of a child's question.
What fills the void when our children's voices can no longer be heard?

On April 12, 1994, Jeremy and Joshua, eleven-year-old identical twins, woke, dressed, had breakfast and left for school that day the same as any other school day. It was library day, so Jeremy's backpack was heavy with books he had read and was returning.

Weeks later, a police officer worked up the courage to give Jeremy's family that backpack. He had tried to scrub the blood from the canvas, trying to ease the pain in the only way he knew how. For on April 12, 1994, eleven-year-old Jeremy was shot and killed at his school by a child whose only explanation was "No one loves me."

Jeremy Michael Seidlitz Bullock lived in a home in Montana where violence was not condoned. He was not allowed to watch violence on television or play games glamorizing violence. Instead he was active in sports. Jeremy loved to sing. He listed his hobby as getting good grades. School was his second home, a place where children laughed and learned.

Jeremy wanted to become a teacher or an environmental engineer. Jeremy and his brother Josh would spend hours on hikes, coming home with their pockets overflowing with garbage they picked up along the way. Jeremy believed that leaving places he visited better than the way he found them was a good way to live life.

Jeremy loved and was deeply loved. Yet, he was not safe. Collectively we allowed Jeremy's voice to be silenced.

Each and every day in America the voices often of our children are silenced by violent acts. Over three million of our children ages three to seventeen are exposed to parental violence every year. Our children will witness over 200,000 acts of violence on television by the time they turn eighteen. A new handgun is manufactured every 20 seconds in America.

We passively listen and accept the statistics, but do we listen for the voices lost?

On behalf of Jeremy's family and children everywhere, we designate April 12 as a day of remembrance of Jeremy and dedicate ourselves to creating a safe world for all of our children.

We dedicate ourselves to taking that walk with Jeremy, and accepting his simple challenge -- Are we leaving this place that we visit better than the way we found it?

Our children need not lose their voices while we stand by, overwhelmed by the magnitude of the problem. There is much we can do. We can tell the media we will not be consumers of glorified violence. We can direct our children toward nonviolent entertainment and help them find acceptable ways to express anger and resolve conflict. We can extend the boundaries of our families to include caring about and caring for the children of our

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community.

And when we become discouraged, we must rededicate ourselves by straining our ears only to hear the empty void left behind. Listen for the voice of eleven-year-old Jeremy Bullock, and listen for the voices of others that have been silenced. For the pain in remembering is little compared to the pain in realizing that others may soon forget.

From my community we would like to thank all of you who supported legislation to keep our schools safe and let's collectively work to ensure safety always for our children.

Thank you, and thank you Mr. Speaker.

MOTIONS

SB 38 - Representative Grinde moved SB 38 be taken from engrossing and rereferred to a free conference committee this legislative day.

Representative Grinde moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 38. Motion carried.

Mr. Speaker appointed the following members:

Representative R. Johnson, Chairman
Representative Simon
Representative Kadas

Representative Grinde moved the House accede to the request of the Senate to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 338. Motion carried.

Mr. Speaker appointed the following members:

Representative H. Hanson, Chairman
Representative Fuchs
Representative J. Johnson

Representative Cobb present at this time.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fisher in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 333 - Representative Somerville moved the conference committee report to SB 333 be adopted. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 97

Noes: Cobb.
Total 1

Excused: None.
Total 0

Absent or not voting: Green, Orr.
Total 2

SB 398 - Representative H. Hanson moved the conference committee report to SB 398 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 70

Noes: Arnott, Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCulloch, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 30

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 89 - Representative Peck moved Governor's amendments to HB 89 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills,

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Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel, Brainard, Wyatt.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 395 - Representative Raney moved consideration of HB 395 be placed on the afternoon second reading board. Motion carried.

HB 421 - Representative Ewer moved Governor's amendments to HB 421 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: None.

Total 0

Absent or not voting: Heavy Runner, Pavlovich.

Total 2

HB 445 - Representative Grady moved Governor's amendments to HB 445 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simpkins,

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Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Brainard, Jore, Rehbein.
Total 4

Excused: None.
Total 0

Absent or not voting: Simon.
Total 1

HB 509 - Representative Anderson moved Governor's amendments to HB 509 be concurred in. Motion carried as follows:

Ayes: Anderson, Barnett, Bergman, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Marshall, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 66

Noes: Ahner, Arnott, Barnhart, Bergsagel, Brainard, Carey, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Hurdle, J. Johnson, Jore, Kadas, Larson, Martinez, McCann, McCulloch, Nelson, Peck, Raney, Ream, Schwinden, Simpkins, L. Smith, Tropila, Tuss, Vick, Wennemar, Wyatt.
Total 33

Excused: None.
Total 0

Absent or not voting: Kottel.
Total 1

HB 540 - Representative Molnar moved Governor's amendments to HB 540 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

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Noes: Bergsagel.
Total 1

Excused: None.
Total 0

Absent or not voting: Kottel.
Total 1

SB 86 - Representative Jore moved Governor's amendments to SB 86 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 94

Noes: Bergsagel, Vick.
Total 2

Excused: None.
Total 0

Absent or not voting: J. Johnson, Kottel, Molnar, Raney.
Total 4

SB 224 - Representative Bohlinger moved Governor's amendments to SB 224 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Bergsagel, Galvin, Rehbein.
Total 3

Excused: None.
Total 0

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Absent or not voting: Kottel, Squires.

Total 2

SB 357 - Representative Harper moved Governor's amendments to SB 357 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook.

Total 85

Noes: Bergsagel, Boharski, Brainard, Green, McCann, Mills, Molnar, Rehbein, S. Smith, Somerville, Story, Trexler.

Total 12

Excused: None.

Total 0

Absent or not voting: Grady, Kottel, Mr. Speaker.

Total 3

SB 366 - Representative Holland moved Governor's amendments to SB 366 be concurred in. Motion carried as follows:

Ayes: Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, Kasten, S. Smith.

Total 3

Excused: None.

Total 0

Absent or not voting: Ahner, Fuchs, Kottel.

Total 3

HB 584 - Representative Grinde moved consideration of HB 584 be placed at the bottom of the second reading

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board. Motion carried.

SB 223 - Representative R. Johnson moved the conference committee report to SB 223 be adopted.

Representative Cobb made a substitute motion that the conference committee report to SB 223 be not adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Jore, Kadas, Kasten, Keenan, Knox, Larson, Marshall, Martinez, McCann, McGee, Menahan, Mills, Molnar, Murdock, Orr, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Taylor, Vick, Wagner, Wells, Wiseman.

Total 53

Noes: Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Grimes, Hagener, Harper, Harrington, Heavy Runner, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Kottel, Masolo, McCulloch, McKee, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Soft, Squires, Swanson, Tash, Trexler, Tropila, Tuss, Wennemar, Wyatt, Mr. Speaker.

Total 43

Excused: None.

Total 0

Absent or not voting: Bergsagel, Hibbard, Nelson, Zook.

Total 4

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Fisher moved that the Committee of the Whole report be adopted. Report adopted. (79-13)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Boharski, DeBruycker, Denny, Jore, Peck, Raney, Rehbein, S. Smith, Somerville.

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Total 9

Excused: None.

Total 0

Absent or not voting: Simpkins.

Total 1

HB 576 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel, DeBruycker, McCann.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 293 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brainard, Clark, Jore, Kasten, Keenan, Molnar, Murdock.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 449 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McKee, Menahan, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Anderson, Boharski, Brainard, Curtiss, DeBruycker, Feland, Jore, Kasten, Keenan, Martinez, McGee, Molnar, Orr, Rehbein, S. Smith, Vick, Wagner.

Total 17

Excused: None.

Total 0

Absent or not voting: Mills.

Total 1

HB 587 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Brainard, Rehbein.

Total 2

Excused: None.

Total 0

Absent or not voting: Ellis.

Total 1

HB 157, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes,

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Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 95

Noes: Ellingson, Kasten, Keenan, Rehbein, Tuss.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 346, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 88

Noes: Barnhart, Boharski, Cobb, DeBruycker, Hayne, Kasten, Rehbein, S. Smith, Wyatt.
Total 9

Excused: None.
Total 0

Absent or not voting: Green, Keenan, Squires.
Total 3

SB 345, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bohlinger, Clark, DeBruycker, Devaney, Elliott, Ellis, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Holland, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Marshall, Martinez, McGee, Menahan, Mills, Nelson, Ohs, Pavlovich, Quilici, Rose, Ryan, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Wells, Wiseman, Zook, Mr. Speaker.
Total 56

Noes: Arnott, Barnhart, Bergsagel, Boharski, Brainard, Carey, Cobb, Cocchiarella, Curtiss, Denny, Ellingson,

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Ewer, Feland, Fisher, Hagener, Harper, Heavy Runner, Hibbard, Hurdle, Jore, Kasten, Kottel, Larson, Masolo, McCann, McCulloch, McKee, Molnar, Murdock, Orr, Peck, Raney, Ream, Rehbein, Schwinden, Sliter, S. Smith, Squires, Tropila, Tuss, Vick, Wagner, Wennemar, Wyatt.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 3 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Arnott, Boharski, Cobb, Jore, Keenan, Peck, Rehbein, S. Smith, Vick.

Total 9

Excused: None.

Total 0

Absent or not voting: Simpkins.

Total 1

HB 24, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 308, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 90

Noes: Bergsagel, DeBruycker, Feland, Fuchs, Grinde, R. Johnson, Kasten, Martinez, Rehbein.

Total 9

Excused: None.

Total 0

Absent or not voting: Bergman.

Total 1

SB 127, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 98

Noes: Jore, Rehbein.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198, conference committee report, adopted as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Barnhart, Brainard, DeBruycker, Fisher, Keenan, Peck, Squires, Tuss.

Total 8

Excused: None.

Total 0

Absent or not voting: Ewer.

Total 1

SB 206, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, McCann, McGee, McKee, Menahan, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Ream, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 76

Noes: Bergman, Cocchiarella, Ellingson, Ewer, Galvin, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, Masolo, McCulloch, Peck, Quilici, Raney, Rehbein, Schwinden, Shea, Tuss, Wyatt.

Total 22

Excused: None.

Total 0

Absent or not voting: Mills, Squires.

Total 2

SB 292, free conference committee report, adopted as follows:

Ayes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Holland, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Rehbein, Simpkins, L. Smith, S. Smith, Soft, Story, Stovall, Tash, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 57

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Noes: Anderson, Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Grinde, Hagener, Harper, Harrington, Hibbard, Hurdle, J. Johnson, R. Johnson, Kottel, Larson, McCulloch, McKee, Pavlovich, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, Somerville, Squires, Swanson, Taylor, Tuss, Wennemar, Wyatt.

Total 40

Excused: None.

Total 0

Absent or not voting: Galvin, Grady, Kadas.

Total 3

SB 386, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 77

Noes: Barnhart, Brainard, Cocchiarella, Ellingson, Ewer, Hagener, Harper, Heavy Runner, Hurdle, Kottel, Larson, Marshall, Peck, Raney, Ream, Soft, Squires, Tropila, Tuss, Wennemar, Wyatt.

Total 21

Excused: None.

Total 0

Absent or not voting: Kadas, Ohs.

Total 2

HB 200, free conference committee report, adopted as follows:

Ayes: Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Cocchiarella, DeBruycker, Devaney, Ellingson, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 76

Noes: Ahner, Arnott, Barnhart, Brainard, Clark, Cobb, Denny, Elliott, Fisher, Green, Hurdle, Jore, Kadas, Kasten, Martinez, Masolo, McGee, Molnar, Ream, L. Smith, Vick, Wells.

Total 22

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Excused: None.
Total 0

Absent or not voting: Curtiss, Squires.
Total 2

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 528
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 528, met and considered:

1. Title, line 10.

Following: "FUNDS FROM THE".

Strike: "COAL AREA HIGHWAY IMPROVEMENT"

Insert: "HIGHWAY SPECIAL REVENUE"

2. Title, lines 10 and 11.

Following: "AMENDING"

Strike: "SECTIONS 15-35-108 AND"

Insert: "SECTION"

3. Page 1, lines 20 through 30.

Strike: Section 1 in its entirety.

Insert: "NEW SECTION. Section 1. Appropriation. (1) There are appropriated to the department of transportation for the biennium beginning July 1, 1995, for the purpose described in subsection (2):
(a) Any funds received from Big Horn County, the bureau of indian affairs; and
(b) \$2 million from the state highway account in the state special revenue fund.
(2) The department of transportation shall use the money appropriated in subsection (1) for preconstruction work and to reconstruct 13 miles of Montana highway between Decker and Busby, Montana.
(3) It is the intent of the legislature that up to \$2 million per biennium be dedicated to the construction project described in subsection (2) until the project is completed."

4. Page 5, line 23 through page 8, line 29.

Strike: section 2 in its entirety

Renumber: subsequent sections

We recommend that the amendments to House Bill 528 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

For the Senate:

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M. Hanson, Chairman
Taylor
J. Johnson

Swysgood, Chairman
Mohl
Stang

Conference Committee
on Senate Bill 113
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 113, met and considered:

House Judiciary Committee Amendments to third reading copy, dated March 15, 1995.

We recommend that amendments considered above be rejected.

And that this Conference Committee report be adopted.

For the Senate:

Keating, Chairman
Miller
Brooke

For the House:

Grimes, Chairman
Bergman
Carey

Free Conference Committee
on Senate Bill 136
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 136, met and considered:

1. Page 2, line 18.

Following: "money"

Strike: ", " through "value,"

2. Page 3, line 2.

Following: "(3)"

Insert: "(a)"

Following: "SUBSTANTIAL"

Insert: "substantial"

Following: "VALUE"

Insert: "means a gift with a value of \$50 or more for an individual. (b) The term"

3. Page 3, line 3.

Strike: "(A)"

Insert: "(i)"

Renumber: subsequent subsections

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4. Page 3, line 13.

Strike: "(I)"

Insert: "(A)"

Renumber: subsequent subsections

5. Page 5, line 1.

Following: "½"

Insert: "(ii) legislators, involving legislative acts, is provided for in [section 14] and for all other acts is provided for in [sections 15 and 16];"

Renumber: subsequent subsection

6. Page 5, line 14.

Following: "of ~~substantial~~"

Insert: "substantial"

Strike: "AN"

Insert: "a substantial"

7. Page 7, line 29.

Following: "MAY"

Insert: ", subject to legislative rule,"

8. Page 8, line 20.

Following: "direct"

Insert: "and distinctive"

9. Page 9, lines 25 and 26.

Following: "~~practices~~" on line 25

Strike: remainder of line 25 through "½" on line 26

Insert: "persuading or affecting a political decision unless the use is:

(a) authorized by law; or

(b) properly incidental to another activity required or authorized by law, such as the function of an elected public official, the official's staff, or the legislative staff in the normal course of duties."

10. Page 15, line 30.

Following: "practices."

Insert: "The commissioner does not have jurisdiction for a complaint concerning a legislator if a legislative act is involved in the complaint."

And that this Free Conference Committee report be adopted.

For the Senate:

Baer, Chairman
Grosfield
Eck

For the House:

Denny, Chairman
Forbes
Cocchiarella

Conference Committee
on Senate Bill 148
Report No. 1, April 11, 1995

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Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 148, met and considered:

House Committee of the Whole amendments to the third reading copy -- blue, dated March 28, 1995.

We recommend that the amendments considered above to SB 148 be acceded to by the Senate.

And that this Conference Committee report be adopted.

For the Senate:

Emerson, Chairman
Bishop
Bartlett

For the House:

Simpkins, Chairman
Jore
Tropila

Conference Committee
on Senate Bill 338
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 338, met and considered:

House Committee on Taxation amendments to the third reading copy, dated April 6, 1995.

We recommend that the amendments considered above be rejected.

And that this Conference Committee report be adopted.

For the Senate:

Gage, Chairman
Tveit
Jergeson

For the House:

H. Hanson, Chairman
Fuchs
J. Johnson

MESSAGES FROM THE SENATE

House bill requested to be returned for further consideration:

4/12/95

HB 591, introduced by Wiseman

The Senate, on 4/12/95, failed to concur in House amendments to SB 257 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 257.

President Brown appointed the following members:

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Senator Gage, Chairman
Senator Harp
Senator Eck

The Senate, on 4/11/95, failed to concur in House amendments to SB 338 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 338.

President Brown appointed the following members:

Senator Gage, Chairman
Senator Tveit
Senator Jergeson

The Senate, on 4/11/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 6.

President Brown appointed the following members:

Senator Foster, Chairman
Senator Mohl
Senator Lynch

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

April 12, 1995

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

Dear Speaker Mercer and President Brown:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 533, **"AN ACT RELATING TO HEALTH BENEFIT PLANS; PROVIDING FOR THE PORTABILITY OF HEALTH BENEFIT PLANS BY REQUIRING INSURERS TO WAIVE CERTAIN TIME PERIODS APPLICABLE TO PREEXISTING CONDITIONS; REQUIRING CERTAIN INCREASES IN PLAN CHARGES TO BE DISTRIBUTED PROPORTIONATELY AMONG ALL PLANS OF AN INSURER; REQUIRING DISCLOSURE OF CERTAIN POLICY FEATURES AT OR BEFORE THE TIME OF APPLICATION; CREATING A LOW-COST UNIFORM HEALTH BENEFIT PLAN; CAPPING PREMIUM RATES ON CERTAIN CONVERSION POLICIES; AMENDING SECTIONS 33-22-101, 33-22-508, AND 33-30-1007, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE.**

House Bill 533, which relates to health benefit plans, was amended to include reform of Montana's health insurance

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conversion laws. These laws require an insurer to provide a conversion health insurance policy under certain circumstances.

Subsequent to the adoption of the amendments, a group of insurers and state officials met and agreed upon placing a cap on the rates for conversion policies. The cap would require that the premium on conversion policies made available by both commercial insurers and health service corporations be no more than 200% of the insurer's customary conversion rate. This cap will benefit the consumer and enhance the spirit of health insurance reform.

Representative Arnott, the sponsor of House Bill 533, is in agreement with these amendments.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL NO. 533

1. Page 8, line 23.

Following: "at"

Insert: "no more than 200% of"

2. Page 8, line 24.

Strike: "conversion"

Following: "policy."

Insert: "The customary rate is that rate that is normally issued for medically underwritten policies without discount for healthy lifestyles."

3. Page 9, line 19.

Following: "at"

Insert: "no more than 200% of"

Strike: "conversion"

4. Page 9, lines 20 and 21.

Following: "policy"

Strike: the remainder of line 20 through "conversion policy" on line 21

Following: "."

Insert: "The customary rate is that rate that is normally issued for medically underwritten policies without discount for healthy lifestyles."

MOTIONS

Representative Grinde moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 257. Motion carried.

Mr. Speaker appointed the following members:

Representative Grinde, Chairman

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Representative Arnott
Representative Swanson

HB 591 - Representative Grinde moved the House accede to the request of the Senate to return HB 591 for further consideration. Motion carried.

HB 524 SA - Representative Fisher moved the House reconsider its action on Senate amendments to HB 524 taken on third reading the previous legislative day. Motion carried. (64-31)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 524 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Barnett, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, Curtiss, Devaney, Ellingson, Ellis, Ewer, Fisher, Fuchs, Galvin, Grady, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McKee, Menahan, Mills, Murdock, Nelson, Peck, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Somerville, Story, Tash, Taylor, Trexler, Wennemar, Wiseman, Wyatt, Mr. Speaker.
Total 59

Noes: Anderson, Arnott, Bergsagel, Boharski, Brainard, Clark, Cobb, DeBruycker, Denny, Elliott, Feland, Forbes, Grimes, Grinde, H.S. Hanson, Holland, Jore, Kasten, Keenan, Knox, McGee, Orr, Pavlovich, Quilici, Raney, Rehbein, S. Smith, Stovall, Tropila, Vick, Wagner, Wells, Zook.
Total 33

Excused: None.
Total 0

Absent or not voting: Green, McCulloch, Molnar, Ohs, Soft, Squires, Swanson, Tuss.
Total 8

MOTIONS

SB 292 - Representative Barnett moved he be allowed to change his vote on SB 292, third reading, from not voting to aye. Motion carried.

Representative Bohlinger moved he be allowed to change his vote on SB 292, third reading, from nay to aye. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House recess until 2:00 p.m. Motion carried.

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House recessed at 12:30 p.m.

House reconvened at 2:00 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/12/95
Correctly enrolled: HB 418, HB 446, HB 493, HB 543, HB 547, HB 565, HB 569, HB 598.
Examined by the sponsor and found to be correct: HB 418, HB 446, HB 493, HB 543, HB 547, HB 565, HB 569, HB 598.

MESSAGES FROM THE SENATE

Governor's Amendments to Senate bills concurred in and transmitted to the House for concurrence: 4/12/95

SB 86, introduced by Gage
SB 224, introduced by Christiaens
SB 357, introduced by Van Valkenburg

House amendments to Senate bills concurred in:

SB 226, introduced by Keating
SB 385, introduced by Eck
SB 417, introduced by Keating

Conference committee report #1 adopted: 4/12/95

HB 24, introduced by Menahan
SB 127, introduced by Bishop
SB 198, introduced by Jergeson

Free Conference committee report #1 adopted: 4/12/95

HB 157, introduced by Denny
HB 308, introduced by Ewer
SB 292, introduced by Brown
SB 346, introduced by Forrester

Representative Grinde moved the House recess until 2:35 p.m. Motion carried.

House recessed at 2:05 p.m.

House reconvened at 2:55 p.m. Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 497

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Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 497, met and considered:

1. Title, line 16.

Following: " ; "

Insert: "APPROPRIATING FUNDS FOR REIMBURSEMENT PAYMENTS AND FOR ADMINISTRATION OF REIMBURSEMENTS;"

2. Page 3, line 1.

Following: "RENTED"

Insert: "for more than 5 months"

3. Page 4, line 10.

Following: "PERIOD"

Insert: " , "

4. Page 4, line 11.

Strike: "OR"

Following: "PAID,"

Insert: "or if a tax appeal renders the claimant ineligible"

5. Page 12, line 28.

Insert: "NEW SECTION. Section 12. Appropriations. (1) There is appropriated from the general fund to the department of revenue \$7,500,000 for fiscal year 1996 and \$7,500,000 for fiscal year 1997 for the homeowner's tax payment provided for in [sections 1 through 7]. Any unexpended funds may be carried over to fiscal year 1998.

(2) There is appropriated from the general fund to the department of revenue \$200,000 for fiscal year 1996 and \$165,000 for fiscal year 1997 for administering [sections 1 through 7]. Any unexpended funds from fiscal year 1996 are reappropriated for fiscal year 1997.

(3) There is appropriated from the general fund to the department of revenue \$11,500 for fiscal year 1996 and \$3,000 for fiscal year 1997 for outreach costs associated with the property tax assistance program."

Renumber: subsequent sections

6. Page 12, line 30.

Page 13, line 1.

Strike: "30, PART"

We recommend that the amendments to House Bill 497 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Hibbard, Chairman

Orr

Barnhart

For the Senate:

Harp, Chairman

Hargrove

Stang

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fisher in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 584 - Representative Bergsagel moved Senate amendments to HB 584 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rose, Ryan, Schwinden, Shea, Simon, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tuss, Vick, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 82

Noes: Arnott, Boharski, Brainard, Green, Jore, Kasten, Keenan, Molnar, Raney, Rehbein, Simpkins, Sliter, S. Smith, Trexler, Tropila, Wagner.

Total 16

Excused: None.

Total 0

Absent or not voting: Fuchs, Wyatt.

Total 2

HB 395 - Representative Raney moved Governor's amendments to HB 395 be not concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 85

Noes: Barnett, Boharski, Brainard, Devaney, M. Hanson, R. Johnson, Jore, Keenan, McGee, Murdock, S. Smith, Vick.

Total 12

Excused: None.

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Total 0

Absent or not voting: Fuchs, Molnar, Tuss.

Total 3

HB 90 - Representative Feland moved the free conference committee report to HB 90 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 71

Noes: Arnott, Carey, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Hurdle, Kadas, Kottel, Martinez, McCulloch, Menahan, Peck, Raney, Ream, Shea, Soft, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 26

Excused: None.

Total 0

Absent or not voting: Cocchiarella, Green, Harrington.

Total 3

HB 528 - Representative M. Hanson moved the free conference committee report to HB 528 be adopted. Motion carried as follows:

Ayes: Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Jore, Kadas, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 30

Excused: None.

Total 0

Absent or not voting: Ahner, Arnott, Grady, Kottel, L. Smith.

Total 5

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SB 113 - Representative Grimes moved the conference committee report to SB 113 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 91

Noes: Barnett, Herron, Jore, Martinez, Rehbein, L. Smith, Vick, Wyatt.

Total 8

Excused: None.

Total 0

Absent or not voting: R. Johnson.

Total 1

SB 136 - Representative Denny moved the free conference committee report to SB 136 be adopted. Motion carried as follows:

Ayes: Ahner, Arnott, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Anderson, Bergman, Bergsagel, Clark, Cobb, Galvin, R. Johnson, Masolo, Orr, Rehbein, Story, Taylor, Trexler.

Total 13

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

SB 148 - Representative Simpkins moved the conference committee report to SB 148 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss,

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DeBruycker, Denny, Devaney, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 74

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Harper, Hurdle, J. Johnson, Kadas, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Ream, Ryan, Swanson, Tropila, Wennemar.

Total 23

Excused: None.

Total 0

Absent or not voting: Feland, Heavy Runner, Tuss.

Total 3

SB 338 - Representative H. Hanson moved the conference committee report to SB 338 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Barnhart, Brainard, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Harper, Hurdle, Kadas, Kottel, Larson, McCulloch, Raney, Ream, Soft, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar.

Total 22

Excused: None.

Total 0

Absent or not voting: Arnott.

Total 1

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Fisher moved that the Committee of the Whole report be adopted. Report adopted. (78-19)

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill 38
Report No. 2, April 12, 1995

HOUSE JOURNAL
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Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 38, met and considered:

1. Title, line 6.

Strike: "\$4 MILLION"

Insert: "A PORTION"

2. Title, line 7.

Following: " ;"

Insert: "REVISING THE ADMINISTRATION OF PERMANENT COAL TAX TRUST FUNDS FOR SEED
CAPITAL AND RESEARCH AND DEVELOPMENT PROJECTS;"

3. Title, line 8.

Following: "AN"

Insert: "IMMEDIATE"

4. Page 2.

Following: line 21

Insert: "(1) "Board" means the Montana board of science and technology development provided for in 2-15-1818."

Renumber: subsequent subsections

5. Page 2, line 25.

Strike: "approving or denying"

Insert: "recommending to the board the approval or denial of"

6. Page 3, line 27.

Strike: "DEPARTMENT"

Insert: "board"

Strike: "SAME"

Insert: "most favorable"

7. Page 3, line 28.

Strike: "AS THE FINANCIAL INSTITUTION PARTICIPATING IN THE"

Insert: "possible on any"

8. Page 4, line 17.

Strike: "approve or disapprove loans"

Insert: "recommend to the board the approval or disapproval of loans"

9. Page 5, lines 9 and 10.

Following: "(3)" on line 9

Strike: remainder of line 9 through "(4)" on line 10

Insert: "and (3)"

10. Page 5, line 20.

Strike: "\$11.5"

Insert: "\$12.5"

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11. Page 5, line 21.

Following: "loans"

Insert: "or mezzanine financing loans"

Strike: "\$8.1"

Insert: "\$11.1"

12. Page 5, line 22.

Strike: "loans" through "3"

Insert: "matching funds for projects at Montana public universities"

13. Page 5, lines 23 and 24.

Strike: "1995"

Insert: "1997"

Following: "development" on line 23

Strike: remainder of line 23 through "loans" on line 24

Insert: "projects"

14. Page 5, line 26.

Following: "."

Insert: "As seed capital and mezzanine financing loans made pursuant to this subsection are repaid, the Montana board of science and technology development may reinvest the principal in new loans."

15. Page 5, lines 27 through 30.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

16. Page 6, line 9.

Strike: "July 1, 1995"

Insert: "on passage and approval"

And that this Free Conference Committee report be adopted.

For the Senate:

Benedict, Chairman

Hertel

Lynch

For the House:

R. Johnson, Chairman

Simon

Kadas

MESSAGES FROM THE SENATE

The Senate, on 4/12/95, failed to concur in House amendments to SB 382 and appointed a free conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 382.

President Brown appointed the following members:

Senator Grosfield, Chairman

Senator Foster

Senator Lynch

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MOTIONS

Representative Grinde moved the House accede to the request of the Senate to appoint a free conference committee to meet with a like committee from the Senate to confer on House amendments to SB 382. Motion carried.

Mr. Speaker appointed the following members:

Representative Orr, Chairman
Representative Knox
Representative Tuss

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House recess until 5:30 p.m. Motion carried.

House recessed at 4:05 p.m.

House reconvened at 5:30 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/12/95

Delivered to the Governor for his approval at 5:00 p.m., 4/12/95: HB 602.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 2
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 2, met and considered:

1. Page BP-1, line 17.

Following: "Technical allocation costs."

Insert: "(1)"

2. Page BP-1, following line 20.

Insert: " (2) For the agency line item appropriations for legislative audit, there is appropriated an increase equal to the amount appropriated from the legislative auditor's special revenue fund for state pay plan funding. The budget director shall allocate this appropriation on the same basis that current line items for legislative audit in agency budgets are allocated in [this act]."

3. Page BP-2, line 12.

Following: "ELECTED OFFICIAL)"

Strike: "AND THE JUDICIARY"

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4. Page BP-3, following line 17.

Insert: "NEW SECTION. Section 11. Instructions for coordination of reorganization appropriations. When preparing the appropriations report for the 1997 biennium, the legislative fiscal analyst shall reflect the passage of Senate Bill No. 4, Senate Bill No. 234, Senate Bill No. 345, Senate Bill No. 361, House Bill No. 280, and House Bill No. 563, if these measures have been passed and approved."

5. Page A-1, line 5.

Strike: "1,396,073" "1,411,236" (general fund, fiscal years 1996 & 1997)

Insert: "1,409,015" "1,422,465" (general fund, fiscal years 1996 & 1997)

6. Page A-1, following line 9.

Insert: "If Senate Bill No. 398 is not passed and approved, general fund money in item 1 will be decreased by \$7,376 in fiscal year 1996 and \$5,963 in fiscal year 1997."

The legislative audit committee is authorized to accept and expend private and nonstate funds to contract for an independent study of the conversion of the Montana medicaid program provided for in Title 53, chapter 6, to private insurance policies or coverage by health service corporations or health maintenance organizations."

7. Page A-1, following line 15.

Insert: "b. Postsecondary Education Interim Committee (Restricted/Biennial)
14,800" (general fund in fiscal 1996)

8. Page A-1, following line 19.

Insert: "Of the amount for expenses associated with the review required pursuant to 17-1-505 appropriated to the office of the legislative fiscal analyst in section 1, Chapter 30, Special Laws of November 1993, amending section 15, Chapter 623, Laws of 1993, any unexpended funds up to \$6,000 are reappropriated to the analysis and review program (program 01) within the office of the legislative fiscal analyst. The funds reappropriated to the analysis and review program are appropriated for the 1997 biennium for expenses associated with the review required in 17-1-505. "

9. Page A-1, line 23.

Strike: "70,947" "70,947" (general fund)

Insert: "90,947" "90,947" (general fund)

10. Page A-1, following line 23.

Insert: "b. Interim Study for Veterans' Issues (Biennial)
10,000" (state special revenue)

11. Page A-2, following line 11.

Insert: "NCSL 40,000"

12. Page A-3, following line 12.

Insert: "c. Foster Care Local Review Board Pilot (Restricted) \$139,850" (general fund 1996) "127,535" (general fund 1997)

d. Court Automation (Restricted) 978,400" (state special revenue 1996) "978,400" (state special revenue 1997)"

13. Page A-3, following line 20.

Insert: "a. SB 387 -- Water Adjudication Advisory Committee (Restricted/OTO) 5,000" (state special revenue 1996) "5,000" (state special revenue 1997)

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14. Page A-3, line 22.

Strike: "189,821 190,666"

Insert: "160,445 131,715"

15. Page A-3, following line 25.

Insert: "The administrator of the supreme court shall prepare a report for the 55th legislature on the activities and accomplishments of the local citizen review board pilot program in item 1c.

Item 1d is contingent on passage and approval of House Bill No. 176.

The appropriation in item 5a is contingent on passage and approval of both Senate Bill No. 387 and House Bill No. 176.

If Senate Bill No. 249 is not passed and approved, the appropriation in item 6 is increased by \$29,376 in fiscal year 1996 and \$58,951 in fiscal year 1997.

MT CHIROPRACTIC LEGAL PANEL (2115)

1. Legal Panel Operations (01)

14,000 14,000" (state special, fiscal 1996 & 1997)

Because of elimination of the statutory appropriation by Senate Bill No. 83, item 1 has been increased by \$14,000 in state special revenue in fiscal year 1996 and by \$14,000 in state special revenue in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the state special revenue amounts in item 1 are eliminated."

16. Page A-4, line 3.

Strike: "975,273"	"137,914"	"958,542"	"138,244"	[GF and SSR]
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Insert: "1,041,271"	"187,914"	"1,024,549"	"188,244"	[GF and SSR]
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17. Page A-4, line 7.

Strike: " <u>2,125,000</u> "	<u>2,125,000</u> "	(federal special revenue FY 96 & FY 97)
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Insert: "2,000,000"	2,000,000"	(federal special revenue FY 96 & FY 97)
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18. Page A-4, following line 21.

Insert: "7. Mental Disabilities Board of Visitors (20)"

"147,737 152,263"	(general fund 1996 and 1997)
------------------------------	------------------------------

"61,611 61,972"	(federal funds 1996 and 1997)
----------------------------	-------------------------------

19. Page A-5, following line 17.

Insert: "b. SB 136 -- Ethics Administration

100,000 100,000"	[General Fund FY96 and FY97]
-----------------------------	------------------------------

"c. SB 136 -- Ethics Commission

8,200 8,200"	[General Fund FY96 and FY97]
-------------------------	------------------------------

20. Page A-5, following line 20.

Insert: "Items 1b and 1c are contingent on passage and approval of Senate Bill No. 136."

21. Page A-5, line 23.

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Strike: "19,295" "4,765" "19,415" "4,805" State special and proprietary FY96 and FY97
Insert: "24,060" "24,220" State special revenue FY96 and FY97

22. Page A-6, line 3.

Strike: "1,235,896" "1,220,037" (general fund, fiscal years 1996 & 1997)
Insert: "1,446,953" "1,425,571" (general fund, fiscal years 1996 & 1997)

23. Page A-6, following line 17.

Insert: "The amendments made to state special revenue and proprietary funds in item 1 are contingent on passage and approval of House Bill No. 563.

If House Bill No. 533 is not passed and approved, general fund money in item 2 must be decreased by \$36,693 each fiscal year.

If House Bill No. 466 is not passed and approved, general fund money in item 2 must be decreased by \$170,814 in fiscal year 1996 and \$168,841 in fiscal year 1997.

If Senate Bill No. 384 is not passed and approved, general fund money in item 2 is decreased by \$3,550 in fiscal year 1996.

If House Bill No. 563 is passed and approved:

- (1) items 4 and 4a are void; and
- (2) the provisions of [section 18(2)] apply."

24. Page A-7, following line 18.

Insert: "e. Claggett Hill Project (Restricted/OTO) 350,000" (state special 1996)

25. Page A-8, following line 8.

Insert: "a. SB 378 -- Deregulation of Interstate Trucking
21,674 [FY96 state special revenue]
21,747" [FY97 state special revenue]

26. Page A-8, line 21.

Following: "ESTABLISHED"

Strike: "BY THE REVENUE OVERSIGHT COMMITTEE"

Insert: "in House Joint Resolution No. 9"

27. Page A-8, line 23.

Strike: "60% URBAN/40%"

Insert: "40% urban/60%"

Strike: "THE INCREASE IS CONTINGENT ON THE FAILURE OF HOUSE BILL NO. 297 TO BECOME LAW."

28. Page A-8, following line 23.

Insert: "Item 2e is for survey, preliminary design, and staking work, to be performed by or at the direction of Fergus County, on the Claggett hill (old stage road) project. The legislature intends that this work be completed no later than October 31, 1995."

29. Page A-9, following line 18.

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Insert: "a. HB 560 -- Medical Care Savings Accounts 30,667" (general fund 1997)

"b. HB 293 -- EDI/EFT Ongoing Costs
28,403 [FY96 general fund]
23,239 [FY96 state special revenue]
28,447 [FY97 general fund]
23,274" [FY97 state special revenue]

"c. HB 293 -- EDI/EFT Programming (OTO)
30,897 [FY96 general fund]
25,279 [FY96 state special revenue]
21,480 [FY97 general fund]
17,574" [FY97 state special revenue]

30. Page A-10, line 3.

Strike: "10%"

Insert: "[19%]"

Following: "discounts"

Insert: "[, commissions,]"

31. Page A-10, line 4.

Strike: "15%"

Insert: "[8.25%]"

32. Page A-10, line 6.

Following: "charges."

Insert: "If House Bill No. 574 is not passed and approved, the bracketed language in this paragraph is void and the former text is restored."

33. Page A-10, following line 13.

Insert: "Items 4b and 4c are contingent on passage and approval of House Bill No. 293."

34. Page A-10, lines 19 and 20.

Strike: lines 19 and 20 in their entirety.

35. Page A-10, following line 24.

Insert: "b. 1997 Biennium Long-Range Building Program

130,384 [FY96 state special revenue]

131,443" [FY97 state special revenue]

36. Page A-12, following line 12.

Insert: "e. SB 136 -- Employee Ethics Rulemaking and Brochure (OTO)"

"4,015" [General Fund FY96]

37. Page A-12 and A-13.

Strike: line 25 on page A-12 and lines 1 and 2 on page A-13.

38. Page A-13, following line 5.

Insert: "Item 2b is contingent on passage and approval of House Bill No. 5 and at least two or more of the following

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267,780 337,401" [State Special FY96 & FY97]

48. Page B-2, following line 16.

Insert: "c. SB 354 -- Contractor Registration
68,945 138,419" [State Special FY96 & FY97]

49. Page B-3, following line 12.

Insert: "Funds appropriated in item 1d may be used only for certified apprenticeship instruction and for related training programs.

If House Bill No. 68 is not passed and approved, state special revenue in item 4 is increased by \$223,749 in fiscal year 1996 and by \$224,644 in fiscal year 1997.

Funds in items 4d and 5c are contingent on passage and approval of Senate Bill No. 354. Senate Bill No. 354 provides for fees to fund the administrative and enforcement activities required of the department. If revenue from the fees is initially insufficient to fund items 4d and 5c, then the department is authorized to use a short-term loan from the employment security trust account. The short-term loan must be repaid by September 30, 1996."

50. Page B-4, line 13.

Strike: "77,091,371" "15,839,808" "84,729,354" "14,093,669"
(general fund & state special revenue, fiscal 1996 & 1997)
Insert: "83,702,550" "9,228,629" "91,394,394" "7,428,629"
(general fund & state special revenue, fiscal 1996 & 1997)

51. Page B-4, line 21.

Strike: "149,811" "345,269" "286,812" "638,388"
Insert: "299,622" "690,538" "573,624" "1,276,776"

52. Page B-4, line 23.

Strike: "478,762" "1,103,398" "916,839" "2,040,706"
Insert: "957,524" "2,206,796" "1,833,678" "4,081,412"

53. Page B-5, following line 10.

Insert: "c. HB 511 -- Health Care Authority
174,168 124,167 (general fund, federal funds FY 96)
22,227 22,227" (general fund, federal funds FY 97)

54. Page B-6, following line 7.

Insert: "If Senate Bill No. 345 is passed and approved, items 1 through 13 and accompanying text are void and the provisions of [section 17] apply."

55. Pages B-7, line 10.

Strike: "\$72,076,489"
Insert: "\$70,653,143"
Strike: "\$74,847,286"
Insert: "\$77,127,105"

56. Page B-7, following line 11.

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Insert: "Because of de-earmarking by Senate Bill No. 83, item 6 has been reduced by \$6,611,179 in state special revenue in fiscal year 1996 and by \$6,665,040 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 6 are reduced by \$6,611,179 in fiscal year 1996 and by \$6,665,040 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts."

57. Page B-7, following line 15.

Insert: "The department may use funds in items 6d and 6e to increase rates paid for medicaid services purchased from hospitals and nursing homes. If hospital or medicaid providers sue the department to obtain additional increases in medicaid rates, the department may use the funds to defend the state against the lawsuit. In the event that the defense is unsuccessful, the department may reallocate funds from other appropriations to fund nursing home and hospital rate increases."

58. Page B-8, following line 10.

Insert: "The funds for item 8c are contingent on passage and approval of House Bill No. 511."

59. Page B-9, line 7.

Strike: "1,781,701" "2,688,078"

Insert: "1,741,630" "2,647,562"

60. Page B-9, line 9.

Strike: "121,707"

Insert: "91,212"

61. Page B-9, line 13.

Strike: "6,811,582" "6,841,432"

Insert: "6,828,793" "6,859,373"

62. Page B-9, following line 15.

Insert: "b. SB 55 -- County Administrative Costs

307,272	general fund fiscal 1996
63,382	federal special revenue fiscal 1996
307,272	general fund fiscal 1997
63,382"	federal special revenue fiscal 1997

63. Page B-10, line 3.

Strike: "1,847,055" "1,847,170" (state special, fiscal 1996 & 1997)

Insert: "1,811,649" "1,812,761" (state special, fiscal 1996 & 1997)

64. Page B-10, line 4.

Strike: "13,749,742" "14,308,765" (general fund, fiscal 1996 & 1997)

Insert: "13,909,879" "14,467,905" (general fund, fiscal 1996 & 1997)

65. Page B-10, following line 7.

Insert: "b. Family Preservation and Support (Biennial)

997,843" federal special revenue fiscal 1996"

66. Page B-10, lines 10 and 11.

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Strike: lines 10 and 11 in their entirety.

67. Page B-11, following line 3.

Insert: "The amendments made to general fund in items 1, 1a, and 2 are contingent on passage and approval of Senate Bill No. 345. If Senate Bill No. 345 is passed and approved, items 1 through 4 and accompanying text are void and the provisions of [section 17] apply."

68. Page B-11, following line 25.

Insert: "Funds in item 2b are contingent on passage and approval of Senate Bill No. 55."

69. Page B-12, lines 13 and 14.

Strike: lines 13 and 14 in their entirety

Insert: "Because of de-earmarking by Senate Bill No. 83, item 4 has been reduced by \$35,406 in state special revenue in fiscal year 1996 and by \$34,409 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 4 are reduced by \$35,406 in fiscal year 1996 and by \$34,409 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts."

70. Page B-12, lines 16 and 17.

Strike: lines 16 and 17 in their entirety.

71. Page B-13, line 4.

Following: "DEPARTMENT OF"

Strike: "HEALTH AND ENVIRONMENTAL SCIENCES"

Insert: "PUBLIC HEALTH"

72. Page B-13, line 6.

Strike: "23,283" "100,000" "523,106" "23,284" "100,000" "525,729" (general fund, proprietary)

Insert: "0" "0" "0" "0" "0" "0"

73. Page B-13, line 8.

Strike: "1,606,788" "145,000" "1,470,535" "1,636,012" "145,000" "1,472,427"

Insert: "0" "0" "0" "0" "0" "0"

74. Page B-13, line 10.

Strike: "69,338"

Insert: "0"

75. Page B-13, line 21.

Strike: "2,550,331" 2,572,339" (state special revenue FY 96 & FY 97)

Insert: "2,675,331" 2,697,339" (state special revenue FY 96 & FY 97)

76. Page B-14, following line 12.

Insert: "b. SB 292 -- Right to Know Information

37,134 36,334" [general fund FY96 & FY97]

77. Page B-15, following line 2.

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Insert: "The amendments made to the department name, the state special revenue funds, and the proprietary funds under items 1, 2, and 2a are contingent on passage and approval of Senate Bill No. 234.

If Senate Bill No. 234 is passed and approved:

- (1) items 3, 4, 5, 10, and 12 are void and subsequent items are renumbered;
- (2) lines 3 through 13 and lines 17 and 18 on page B-15 and line 25 on page B-15 through line 2 on page B-16 (reference copy) are void;
- (3) item references in text are adjusted accordingly; and
- (4) the provisions of [section 16] apply.

The amendments made to general fund, state special revenue, federal revenue, and proprietary amounts in items 1, 2, and 2a are contingent on passage and approval of Senate Bill No. 345.

If Senate Bill No. 345 is passed and approved:

- (1) items 6, 7, 8, and 9 are void and subsequent items are renumbered;
- (2) lines 14 through 16 and lines 23 and 24 on page B-15 and line 3 on page B-16 through line 3 on page B-17 (reference copy) are void;
- (3) item references in the text are adjusted accordingly; and
- (4) the provisions of [section 17] apply.

If both Senate Bill No. 234 and Senate Bill No. 345 are passed and approved, items 1 through 12 and accompanying language are void."

78. Page B-15, following line 24.

Insert: "Item 7b is contingent on passage and approval of Senate Bill No. 292."

79. Page C-2, line 19.

Strike: "4,986,299"	"5,017,028"	(state special, fiscal 1996 & 1997)
Insert: "111,090"	"4,899,539"	"111,215" "4,930,268"
(general fund & state special, fiscal 1996 & 1997)		

80. Page C-3, following line 4.

Insert: "f. SB 321 -- Additional Snowmobile Allocation
28,488 29,582" (state special revenue, fiscal 1996 & 1997)

81. Page C-4, following line 3.

Insert: "f. SB 321 -- Additional Snowmobile Allocation
158,672 93,474 177,579"
(state special revenue, fiscal 1996 & 1997; proprietary, fiscal 1996)

Renumber: subsequent subsections

82. Page C-4, line 9.

Strike: "1,407,461"	(state special, fiscal 1997)
Insert: "2,880" "1,404,581"	(general fund & state special, fiscal 1997)

83. Page C-4, line 10.

Strike: "1,402,159"	(state special, fiscal 1996)
Insert: "2,880" "1,399,279"	(general fund & state special, fiscal 1996)

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84. Page C-4, following line 17.

Insert: "d. SB 321 -- Additional Snowmobile Allocation

11,277 13,134" (state special revenue, fiscal 1996 & 1997)

85. Page C-5, following line 19.

Insert: "Because of de-earmarking by Senate Bill No. 83, item 4 has been reduced by \$86,760 in state special revenue in fiscal year 1996 and by \$86,760 in state special revenue in fiscal year 1997 and general fund amounts have been increased by \$111,090 in fiscal year 1996 and by \$111,215 in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 4 are reduced by \$111,090 in fiscal year 1996 and by \$111,215 in fiscal year 1997 and the state special revenue amounts are increased by \$86,760 in fiscal year 1996 and by \$86,760 in fiscal year 1997.

Items 4f, 6f, and 7d are contingent on passage and approval of Senate Bill No. 321."

86. Page C-5, line 21.

Strike: "6f"

Insert: "6g"

87. Page C-5, following line 21.

Insert: "Because of de-earmarking by Senate Bill No. 83, item 7 has been reduced by \$2,880 in state special revenue in fiscal year 1996 and by \$2,880 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 7 are reduced by \$2,880 in fiscal year 1996 and by \$2,880 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts."

88. Page C-6, line 6.

Strike: "287,660" "1,153,791" "282,478" "1,141,778"

Insert: "410,825" "1,030,626" "405,643" "1,018,613"

89. Page C-6, line 18.

Strike: "493,000" "493,000" (state special, fiscal 1996 & 1997)

Insert: "553,614" "553,838" (state special, fiscal 1996 & 1997)

90. Page C-7, following line 13.

Insert: "If Senate Bill No. 234 is passed and approved, items 1 through 4 and accompanying text are void and the provisions of [section 16] apply."

91. Page C-7, following line 19.

Insert: "Because of elimination of the recreational access statutory appropriation by Senate Bill No. 83, item 3 has been increased by 1 FTE and \$60,614 in state special revenue in fiscal year 1996 and by \$60,838 in state special revenue in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the state special revenue amounts in item 3 are reduced by \$60,614 in fiscal year 1996 and by \$60,838 in fiscal year 1997."

92. Page C-8, following line 11.

Insert: "b. SB 389 -- Game Farms

66,119 42,900" [state special, fiscal 1996 & 1997]

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Insert: "Item 2b is contingent on passage and approval of House Bill No. 445."

Because of elimination of the alfalfa seed committee statutory appropriation by Senate Bill No. 83, item 3 has been increased by 0.33 FTE and \$34,420 in state special revenue in fiscal year 1996 and by \$34,419 in state special revenue in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the state special revenue amounts in item 3 are reduced by \$34,420 in fiscal year 1996 and by \$34,419 in fiscal year 1997."

104. Page C-12, line 18.

Strike: "3,618,257"	"3,612,845"	[state special, fiscal 1996 & 1997]
Insert: "3,715,270"	"3,709,562"	[state special, fiscal 1996 & 1997]
Strike: "1,202,646"	"1,207,940"	[proprietary, fiscal 1996 & 1997]
Insert: "1,191,731"	"1,196,993"	[proprietary, fiscal 1996 & 1997]

105. Page C-12, following line 22.

Insert: "c. SB 171 -- Physical Therapy Law Revision
6,000 6,000" [state special, fiscal 1996 & 1997]

106. Page C-13, following line 1.

Insert: "b. SB 311 -- Business Licensing System Plan (Biennial/OTO)
50,000" [General fund, fiscal 1996]

107. Page C-13, line 22.

Strike: " <u>1,800,133</u> "	" <u>1,807,636</u> "	[state special, fiscal 1996 & 1997]
Insert: "1,951,818"	"1,960,185"	[state special, fiscal 1996 & 1997]

108. Page C-14, line 25.

Strike: "265,008"	"270,110"	(state special, fiscal 1996 & 1997)
Insert: "7,000" "258,008"	"7,000" "263,110"	

(general fund & state special, fiscal 1996 & 1997)

109. Page C-15, following line 2.

Insert: "b. SB 242 -- New Board Members
5,192 5,192" [state special, fiscal 1996 & 1997]

110. Page C-15, following line 19.

Insert: "If House Bill No. 68 is not passed and approved, state special revenue in item 4 is decreased by \$97,013 in fiscal year 1996 and by \$96,717 in fiscal year 1997."

111. Page C-15, line 20.

Following: "codes,"
Insert: "and"

112. Page C-15, line 21.

Following: "licensing"
Strike: ", and milk control"

113. Page C-15, following line 21.

Insert: "The amendments made to text in lines 20 and 21 on page C-15 (reference copy) are contingent on passage

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and approval of House Bill No. 280. If House Bill No. 280 is passed and approved:
(1) items 3 and 3a are void and subsequent subsections are renumbered;
(2) item references in the text are adjusted accordingly; and
(3) the provisions of [section 18(3)] apply.

Item 5b is contingent on passage and approval of Senate Bill No. 311."

114. Page C-15, following line 23.

Insert: "If House Bill No. 68 is not passed and approved, state special revenue in item 10 is decreased by \$151,685 in fiscal year 1996 and by \$152,549 in fiscal year 1997.

Because Senate Bill No. 4 has been passed and approved:

- (1) items 11 and 11a are void and subsequent subsections are renumbered;
- (2) item references in the text are adjusted accordingly; and
- (3) the provisions of [section 18(4)] apply.

Because of de-earmarking by Senate Bill No. 83, item 17 has been reduced by \$7,000 in state special revenue in fiscal year 1996 and by \$7,000 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 17 are reduced by \$7,000 in fiscal year 1996 and by \$7,000 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Item 17b is contingent on passage and approval of Senate Bill No. 242."

115. Page D-1, line 4.

Strike: "484,698"	"244,920"	"485,656"	"244,021"
(general fund & state special, fiscal 1996 & 1997)			
Insert: "1,675,211"	"0"	"1,675,079"	"0"

116. Page D-1, line 6.

Strike: "505,000"	"505,000"	(state special, fiscal 1996 & 1997)
Insert: "505,000"	"505,000"	(general fund, fiscal 1996 & 1997)

117. Page D-2, following line 5.

Insert: "Because of de-earmarking by Senate Bill No. 83, item 1 has been reduced by \$54,407 in state special revenue in fiscal year 1996 and by \$54,598 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 1 are reduced by \$54,407 in fiscal year 1996 and by \$54,598 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Because of elimination of the statutory appropriation by Senate Bill No. 83, item 1 has been increased by \$945,593 in general fund in fiscal year 1996 and by \$945,402 in general fund in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the general fund amounts in item 1 are reduced by \$945,593 in fiscal year 1996 and by \$945,402 in fiscal year 1997.

Because of de-earmarking by Senate Bill No. 83, item 1 has been reduced by \$190,513 in state special

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revenue in fiscal year 1996 and by \$189,423 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 1 are reduced by \$190,513 in fiscal year 1996 and by \$189,423 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Because of de-earmarking by Senate Bill No. 83, item 1a has been reduced by \$505,000 in state special revenue in fiscal year 1996 and by \$505,000 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 1a are reduced by \$505,000 in fiscal year 1996 and by \$505,000 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts."

118. Page D-2, following line 11.

Insert: "If Senate Bill No. 361 is passed and approved:

- (1) item 1 is void; and
- (2) the provisions of [section 18(1)] apply.

It is the intent of the legislature that the school bus safety services, formerly provided by the office of public instruction, be provided by the highway traffic safety division during the 1997 biennium."

119. Page D-2, line 14.

Strike: "1,504,213"	(General Fund)
Insert: "1,530,713"	(General Fund)

120. Page D-2, line 18.

Strike: "151,728"	"151,728"	(general fund, fiscal years 1996 and 1997)
Insert: "111,876"	"111,733"	(general fund, fiscal years 1996 and 1997)

121. Page D-2, line 20.

Strike: "625,082"	"627,315"	(proprietary revenue)
Insert: "729,195"	"766,342"	(proprietary revenue)

122. Page D-3, following line 7.

Insert: "c. HB 345 -- DUI Equipment (Restricted)	
18,750	25,000" [FY96 and FY97 general fund]

123. Page D-3, line 9.

Strike: "403,294"	"389,672"	[state special, fiscal 1996 & 1997]
Insert: "378,345"	"365,050"	[state special, fiscal 1996 & 1997]

124. Page D-4, line 2.

Strike: "1,024,073"	"1,032,737"	(general fund, fiscal 1996 & 1997)
Insert: "1,074,073"	"1,082,737"	(general fund, fiscal 1996 & 1997)

125. Page D-4, following line 4.

Insert: "b. HB 551 -- DNA Testing (Restricted/Biennial)	
150,000"	[FY96 general fund] "150,000" (FY 97 general fund)

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126. Page D-4, following line 17.

Strike: line 18 in its entirety.

Insert: "If House Bill No. 311 is not passed and approved, general fund money in item 1 must be decreased by \$26,500 in fiscal year 1996."

127. Page D-4, following line 21.

Insert: "Item 5c is contingent on passage and approval of House Bill No. 345.

If House Bill No. 68 is not passed and approved, state special revenue in item 6 is increased by \$24,949 in fiscal year 1996 and by \$24,622 in fiscal year 1997."

128. Page D-5, following line 3.

Insert: "Because of elimination of the statutory appropriation by Senate Bill No. 83, item 12 has been increased by \$50,000 in general fund money in fiscal year 1996 and by \$50,000 in general fund money in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the general fund amounts in item 12 are reduced by \$50,000 in fiscal year 1996 and by \$50,000 in fiscal year 1997."

129. Page D-6, line 2.

Following: "\$251,138 in general"

Strike: "funds"

Insert: "fund money"

Strike: "of"

Insert: "in"

130. Page D-6, following line 13.

Insert: "Item 2a includes \$20,000 for transfers from the department of state lands. The Montana state library commission may transfer appropriation authority between the state special revenue fund and the federal special revenue fund to correspond with the appropriation authority transferred from the department of state lands as long as the totals are not exceeded."

131. Page D-7, line 15.

Strike: "3,087,603" "115,956" "52,290" "3,099,460" "116,751" "52,578"

(General Fund, State Special, Proprietary - FY96 and FY97)

Insert: "2,126,863" "52,290" "2,142,409" "52,578"

(General Fund, Proprietary - FY96 and FY97)

132. Page D-7, line 17.

Strike: "120,556" "14,476" "1,567"

Insert: "79,127" "1,781"

(General Fund, State Special, Federal Special - FY96)

133. Page D-7, line 20.

Strike: "37,156,853" "38,186,410" General Fund FY96 and FY97

Insert: "37,178,553" "38,187,410" General Fund FY96 and FY97

134. Page D-7, following line 20.

Insert: "a. HB 357 -- Commission on Sentencing (Restricted)

97,869 general fund fiscal 1996

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142. Page D-8, following line 21.

Insert: "The legislature has no evidence that the Montana youth alternatives program funded in item 6 is more effective in treating juvenile offenders than the Mountain View school program.

Funds in item 6a must be spent on secure care for female offenders and treatment programs for sexual offenders. The department may not transfer funds in item 6a to other uses or to other programs or departments. The department shall provide to the 55th legislature the following information about expenditures funded from item 6a: the number of children served, the average cost per child, services provided, the treatment outcomes, and the current placement of children served.

Funds in item 6b may not be used for any purpose other than maintenance and repair of Pine Hills school. The department must obtain the approval of the architecture and engineering division of the department of administration before proceeding with repairs funded from item 6b.

Funds in item 6c may be used only for a vocational agricultural program at Pine Hills school."

143. Page E-1, line 4.

Strike: "2,892,760" "592,021" "2,266,743" "592,909"

(general fund & state special, fiscal 1996 & 1997)

Insert: "3,092,760" "422,021" "2,466,743" "457,909"

(general fund & state special, fiscal 1996 & 1997)

144. Page E-1, line 6.

Strike: "4,680,108" "4,344,719"

Insert: "4,390,776" "4,011,988"

145. Page E-1, line 23.

Strike: "6,691,834" "3,908,166" "6,791,834" "3,908,166"

(general fund & state special, fiscal 1996 & 1997)

Insert: "10,502,900" "0" "10,602,900" "0"

146. Page E-2, line 10.

Strike: "500,000" "500,000" (state special, fiscal 1996 & 1997)

Insert: "500,000" "500,000" (general fund, fiscal 1996 & 1997)

147. Page E-3, line 2.

Strike: "5,931,307"

Insert: "0"

148. Page E-3, line 8.

Strike: "245,006,000" (general fund, fiscal 1996)

Insert: "412,683,000" "414,435,000" (general fund, fiscal 1996 & 1997)

149. Page E-3, following line 10.

Insert: "u. School Districts Audits

147,992 153,912"

(general fund, fiscal 1996 & 1997)

150. Page E-3, following line 24.

Insert: "Because of de-earmarking by Senate Bill No. 83, item 1 has been reduced by \$200,000 in state special

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revenue in fiscal year 1996 and by \$200,000 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 1 are reduced by \$200,000 in fiscal year 1996 and by \$200,000 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

If House Bill No. 561 is not passed and approved, the state special revenue in item 1 is reduced by \$30,000 in fiscal year 1996 and \$65,000 in fiscal year 1997."

151. Page E-4, following line 2.

Insert: "Because of de-earmarking by Senate Bill No. 83, item 2c has been reduced by \$3,908,166 in state special revenue in fiscal year 1996 and by \$3,908,166 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 2c are reduced by \$3,908,166 in fiscal year 1996 and by \$3,908,166 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Because of de-earmarking by Senate Bill No. 83, item 2i has been reduced by \$500,000 in state special revenue in fiscal year 1996 and by \$500,000 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 2i are reduced by \$500,000 in fiscal year 1996 and by \$500,000 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Item 2s has been increased by \$1,752,000 in general fund money in fiscal year 1997. If House Bill No. 479 is not passed and approved, general fund money in item 2s is reduced by \$1,752,000 in fiscal year 1997.

Because of de-earmarking and elimination of the statutory appropriation by Senate Bill No. 83, item 2s has been increased by \$290,180,000 in general fund money in fiscal year 1996 and by \$290,180,000 in general fund money in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue and eliminates the statutory appropriation, then the general fund amount in item 2s is reduced by \$290,180,000 in general fund money in fiscal year 1996 and by \$290,180,000 in general fund money in fiscal year 1997.

Because of de-earmarking and elimination of the statutory appropriation by Senate Bill No. 83, item 2u has been increased by \$147,992 in general fund money in fiscal year 1996 and by \$153,912 in general fund money in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue and eliminates the statutory appropriation, then the general fund amounts in item 2u are reduced by \$149,992 in fiscal year 1996 and by \$153,912 in fiscal year 1997."

152. Page E-4, following line 9.

Insert: "Funds appropriated to the office of public instruction for the 1997 biennium may not be expended for purposes of the goals "2000" program.

153. Page E-4, line 16.

Strike: "81,990" "82,227"

(state special, fiscal 1996 & 1997)

Insert: "161,990" "162,227"

(state special, fiscal 1996 & 1997)

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154. Page E-4, following line 21.

Insert: "Because of elimination of the statutory appropriation by Senate Bill No. 83, item 1 has been increased by \$80,000 in state special revenue in fiscal year 1996 and by \$80,000 in state special revenue in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the state special revenue amounts in item 1 are reduced by \$80,000 in fiscal year 1996 and by \$80,000 in fiscal year 1997."

155. Page E-5, line 7.

Strike: "1,454,364"	"357,688"	"1,440,683"	"357,529"	[GF and SSR]
Insert: "1,529,364"	"282,688"	"1,515,683"	"282,529"	[GF and SSR]

156. Page E-5, line 23.

Strike: "83,179,688"	"84,089,980"	"84,887,696"	"88,694,797"
Insert: "88,150,598"	"97,388,169"	"91,474,578"	"101,827,539"

157. Page E-6, line 17.

Strike: "and \$1,024,000 in fiscal year 1997"

158. Page E-6, lines 19 and 20.

Strike: "and \$1,024,000 in fiscal year 1997"

159. Page E-6, line 21.

Strike: "and \$1,024,000 in fiscal year 1997"

160. Page E-6, line 24.

Strike: "\$13,497,000"

Insert: "\$14,089,000"

161. Page E-6, line 25.

Strike: "\$13,497,000"

Insert: "\$14,089,000"

162. Page E-7, line 2.

Strike: "\$13,497,000"

Insert: "\$14,089,000"

163. Page E-7, line 10.

Following: line 9

Insert: "If Senate Bill No. 412 is not passed and approved, in item 1 general fund money is increased by \$592,000 and state special revenue is decreased by a like amount in fiscal year 1996."

164. Page E-7, lines 10 through 12.

Strike: lines 10 through 12 in their entirety

Insert: "It is the intent of the legislature that the Montana university system student FTE at the six units and colleges of technology be comprised of at least 78% qualified resident students. Not more than 22% of student FTE may be qualified nonresident students."

165. Page E-10, line 15.

Strike: "STATE FUNDING"

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Insert: "SECTION 15"

166. Page E-10, following line 19.

Insert: "NEW SECTION. Section 16. Appropriations related to reorganization -- natural resources.

Contingent on passage and approval of Senate Bill No. 234, the following money is appropriated for the respective years:

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)

1.	Centralized Services (21)						
	656,250	506,920	19,937	1,183,107	692,558	504,765	14,703
		1,212,026					
	a.	Legislative Audit (Restricted/Biennial)					
	51,233			51,233			
	b.	Missouri River Lawsuit (Restricted/Biennial)					
	15,000			15,000			
	c.	NMFS Lawsuit (Restricted/Biennial)					
	25,000			25,000			
2.	Oil and Gas Conservation (22)						
		832,909		832,909		835,657	
		835,657					
	a.	Underground Injection Control (Restricted)					
		225,000		225,000		225,000	
		225,000					
3.	Conservation and Resource Development Division (23)						
	113,023	1,257,273	72,400	1,442,696	113,023	1,262,559	72,400
		1,447,982					
4.	Water Resources Division (24)						
	2,934,229	2,645,339	52,748	5,632,316	2,927,136	2,138,561	52,748
		5,118,445					
	a.	Weed Control (Restricted)					
	475			475	475		
		475					
5.	Reserved Water Rights Compact Commission (25)						
	218,234	287,141		505,375	218,234	281,800	
		500,034					
6.	Central Management Program (01)						
	1,487,808	133,183	120,000	504,902	2,245,893	1,565,909	129,993
	575,329		2,391,231				120,000
	a.	Legislative Audit (Restricted/Biennial)					
	47,381			47,381			
7.	Land Administration Program (04)						
	948,848	553,614		1,502,462	939,677	553,838	
		1,493,515					
	a.	Weed Control (Restricted)					
	15,000			15,000	15,000		
		15,000					
	b.	Land Exchange With Crow Tribe					
		100,000		100,000		100,000	
		100,000					
8.	Forestry Program (35)						

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6,466,441	3,683,574	876,873	11,026,888	6,319,502	3,434,708	753,288
	10,507,498					
a.	Federal Fire Reimbursement (Restricted)					
	100,000		100,000		100,000	
	100,000					
b.	Community Forestry FTE (OTO)					
	87,375		87,375		87,652	
	87,652					
c.	HB 201 -- Additional Timber Sales					
	562,368		562,368		545,076	
	545,076					
d.	Weed Control (Restricted)					
862	2,760		3,622	862	2,760	
	3,622					

The department is authorized to spend the lawsuit appropriations for either lawsuit.

Up to \$50,000 each year of funds received under the provisions of 85-1-514(4) are appropriated to the department for the purpose of performing duties required under 85-1-514.

Up to \$20,000 each year of fines collected under the provisions of Title 85, chapter 2, and deposited in the water right appropriation account in accordance with 85-2-318 are appropriated to the department to carry out the enforcement functions required under 85-2-114.

Up to \$20,000 each year of funds received from the bonds required by 37-43-306 are appropriated to the department for the purpose of performing remedial action on water wells, providing compensation for damages caused by water well violations, or paying administration costs incurred by the board of water well contractors.

During the 1997 biennium, up to \$550,000 of funds currently in or to be deposited in the Broadwater replacement and renewal account are appropriated to the department for repairing or replacing equipment at the Broadwater hydropower facility or to service the Broadwater hydropower bond debt if revenue deposited in the debt service account is insufficient for this purpose.

During the 1997 biennium, up to \$20,000 of interest earned on the Broadwater users account is appropriated to the department for the purpose of repair, improvement or rehabilitation of the Broadwater-Missouri diversion project.

Up to \$150,000 each year of funds received in accordance with 85-3-213 are appropriated to the department for the purpose of carrying out the review and administration of weather modification applications, permits, and licenses.

During the 1997 biennium, up to \$1 million of funds received by the department from arbitration, litigation awards, or settlements, including funds from the escrow account currently established in an escrow agreement among Voith hydro, inc., the department, and norwest bank, Helena, pursuant to agreement 1189.1 Broadwater power project, are authorized to be spent to pay costs, including the bond debt associated with the Broadwater power project.

During the 1997 biennium, up to \$50,000 of state special revenue funds received as lease payments for properties associated with state water projects is appropriated to the department for the purpose of administering the state water project leased properties program.

The department is appropriated up to \$700,000 per year from the account established in 76-14-112 for rangeland loans during the 1997 biennium.

All funds deposited in the state special revenue account established in 76-15-530 are appropriated to the department for distribution as grants to conservation districts in an amount of up to \$100,000 per year for the 1997 biennium.

All funds held in the state special revenue account in accordance with 76-16-106(2) are appropriated to the department for administration of grazing district activities in an amount of up to \$15,000 per year for the

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1997 biennium.

The department is appropriated up to \$400,000 over the biennium from the state special revenue account established in 85-1-604 for the purchase of prior liens on property held as loan security as required by 85-1-618.

The board of oil and gas conservation is appropriated \$110,000 of federal revenue funds each fiscal year of the 1997 biennium, contingent upon receiving federal funds from the environmental protection agency for the underground injection control program.

The board of oil and gas regulation is appropriated from the oil and gas ERA account \$56,336 in fiscal year 1996 and \$56,541 in fiscal year 1997 in the event that primacy is achieved for the underground injection control program. If primacy is achieved, the board of oil and gas regulation is authorized to request funding for the personal services costs of an underground injection control program manager as a present law adjustment in the 1999 biennium.

Federal fire reimbursement funds are those funds received for expenses incurred from loaning department personnel to federal agencies to assist in fire suppression activities. Only those federal funds received as reimbursement of expenses credited against the department's state forestry operational budget are considered federal fire reimbursement funds. All other federal funds received must be deposited into the general fund. The department shall report federal fire reimbursement expenditures on state accounting records, and the records must be separate from current level operations.

Because of elimination of the recreational access statutory appropriation by Senate Bill No. 83, item 7 has been increased by 1 FTE and \$60,614 in state special revenue in fiscal year 1996 and by \$60,838 in state special revenue in fiscal year 1997. If Senate Bill No. 83 is not passed and approved in a form that eliminates the statutory appropriation, then the state special revenue amounts in item 7 are reduced by \$60,614 in fiscal year 1996 and by \$60,838 in fiscal year 1997.

Item 8 includes reductions of 9.08 FTE and \$85,258 in general fund money and \$215,134 in state special revenue money in fiscal year 1997 to implement the FTE and personal services savings due to the reorganization of the natural resource agencies, contingent on passage and approval of Senate Bill No. 234. The executive branch shall allocate these reductions among programs in the newly created departments of environmental quality and natural resources and conservation. If Senate Bill No. 234 is not passed and approved, \$85,258 in general fund money and \$215,134 in state special revenue money for 9.08 FTE are appropriated to item 8 in fiscal year 1997.

Item 8c is contingent on passage and approval of House Bill No. 201.

DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)

1.	Director's Office (01)						
	100,000	176,834	276,834	100,000			
	177,710	277,710					
2.	Central Services (02)						
	1,751,788	986,098	2,737,886	1,781,012			
	982,783	2,763,795					
a.	Legislative Audit (Restricted/Biennial)						
		51,177	51,177				
3.	Air Quality (03)						
	358,352	2,004,939	1,074,749	3,438,040	361,544	2,230,339	862,732
		3,454,615					
a.	Radon Contract (Restricted)						
	25,000		25,000		25,000		
	25,000						
b.	Radon Control (OTO)						
		87,457	87,457			112,457	
	112,457						

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4.	Environmental Remediation (04)						
	1,826,567	2,369,023	4,195,590	1,829,081	2,090,750		
	3,919,831						
5.	Water Quality (05)						
	2,675,331	3,269,622	5,944,953	2,697,339	3,239,880		
	5,937,219						
6.	Petroleum Tank Release Compensation Board (11)						
	1,346,851		1,346,851	1,354,393			
	1,354,393						
7.	Waste Management (12)						
	151,997	2,883,491	531,734	3,567,222	155,782	2,972,022	483,244
	3,611,048						
8.	Centralized Services (21)						
	498,313	22,000	91,715	612,028	577,540	16,500	64,855
	598,895						
9.	Energy Division (26)						
	592,140	495,259	864,275	1,951,674	592,072	456,868	887,688
	1,936,628						
10.	Central Management Program (01)						
	132,790		132,790	126,647			
	126,647						
11.	Reclamation Program (03)						
	410,825	1,030,626	5,704,938	7,146,389	405,643	1,018,613	5,725,482
	7,149,738						
a.	State Library Transfer						
	5,000	15,000	20,000	5,000	15,000		
	20,000						
b.	Hard Rock (Biennial)						
	50,000		50,000				
c.	Bond Forfeitures (Biennial)						
	100,000		100,000				
d.	Environmental Analysis (Biennial)						
	550,000		550,000				
e.	Weed Control (Restricted)						
	220	174	394	220		174	
	394						

Funds approved in item 3a may be used only to contract with the Montana bureau of mines and geology for radon in water testing and GIS mapping.

Included in the environmental remediation division funding is \$446,016 in fiscal year 1996 and \$454,576 in fiscal year 1997 of federal funds and \$94,583 of state special revenue funds each fiscal year for leaking underground storage tank activities. Sufficient authority is available for \$100,000 in consultant and professional services each fiscal year of the 1997 biennium. The department is appropriated up to \$847,737 in fiscal year 1996 and \$846,866 in fiscal year 1997 of additional federal revenue for leaking underground storage tank consultant and professional services if the revenue becomes available.

Included in the water quality division funding is \$721,963 in fiscal year 1996 and \$724,835 in fiscal year 1997 of federal nonpoint source pollution prevention funds (NPS funds). The department is appropriated up to \$3 million of additional NPS funds during the 1997 biennium for the purpose of contracting with conservation districts if the funds become available.

Included in the water quality division funding is sufficient authority to contract \$664,755 each fiscal

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year with nonprofit entities for water quality management activities. At least 60% of this annual amount must be contracted to conservation districts. No more than 10% of this annual amount may be spent on studies.

Included in the air quality division funding is authority to add no more than 5.0 FTE in fiscal year 1996 and fiscal year 1997 to be funded with state special revenue funds. At least 3.0 FTE of the additional 5.0 FTE will perform permitting activities each year of the biennium.

Contingent on passage and approval of a bill to statutorily eliminate the junk vehicle program, item 7 is reduced by \$1,073,688 in state special revenue in fiscal year 1996 and by \$1,088,584 in state special revenue in fiscal year 1997. Contingent on passage and approval of [this act], all fund balances remaining in the junk vehicle disposal state special revenue account as of July 1, 1995, minus any outstanding obligations, must be deposited in the general fund.

Included in the centralized services program funding is \$38,500 of indirect funds from MFSA/MEPA fees. If MFSA/MEPA activities generate more than \$38,500 of indirect funds over the biennium, the additional indirect funds must be deposited in the general fund.

The department may transfer appropriation authority in item 11a between the state special revenue fund and the federal special revenue fund as long as the totals are not exceeded.

NEW SECTION. Section 17. Appropriations related to reorganization -- human services. Contingent on passage and approval of Senate Bill No. 345, the following money is appropriated for the respective years:
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)

1.	Family Assistance (01)						
	3,661,702	137,500	23,333,569	27,132,771	4,340,309	70,000	24,093,494
		28,503,803					
	a.	JOBS Benefits					
	100,000	235,119	604,593	939,712	100,000	235,119	604,593
		939,712					
	b.	AFDC Benefits					
	14,214,373	1,389,581	35,981,460	51,585,414	14,018,403	2,535,905	36,893,510
		53,447,818					
2.	Eligibility Determination Program (03)						
		2,736,364	2,833,040	5,569,404		2,766,831	2,863,977
		5,630,808					
3.	Director's Office (04)						
	219,993	68,964	337,985	626,942	220,969	69,269	339,483
		629,721					
4.	Child Support Enforcement (05)						
	782,273	2,396,525	6,242,092	9,420,890	1,013,035	2,408,457	6,717,324
		10,138,816					
5.	State-Assumed County Administration (06)						
	3,349,458		3,430,542	6,780,000	3,405,485		3,486,910
		6,892,395					
	a.	County Pilot Project (Restricted/OTO)					
	70,000			70,000	70,000		
		70,000					
6.	Medical Assistance (07)						
	83,702,550	9,228,629	253,018,859	345,950,038	91,394,394	7,428,629	265,118,544
		363,941,567					
	a.	Contract/Develop RBRV's System (Biennial)					
	50,000		50,000	100,000			
	b.	Pediatric Dental Consultant/Orthodontia Consultant					
	500		500	1,000	500		500

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	1,000					
c.	Local Health Care Providers (Biennial)					
	1,300,000		1,300,000			
d.	Hospital Rate Increase					
299,622	690,538		990,160	573,624		1,276,776
	1,850,400					
e.	Nursing Home Rate Increase					
957,524	2,206,796		3,164,320	1,833,678		4,081,412
	5,915,090					
f.	Dental Rate Increase -- Children's Services (Restricted)					
257,304	593,006		850,310	287,952		640,926
	928,878					
7.	TDD Program (08)					
	676,058		676,058	734,716		
	734,716					
8.	Operations and Technology Division (09)					
4,566,038	1,517,572	7,822,164	13,905,774	4,194,720	1,487,311	7,399,011
	13,081,042					
a.	Legislative Audit (Restricted/Biennial)					
84,007	5,432	91,610	181,049			
b.	Welfare Fraud Transfer					
100,000	300,000		400,000	100,000		300,000
	400,000					
c.	HB 511 -- Health Care Authority					
174,168	124,167		298,335	22,227		22,227
	44,454					
9.	Vocational Rehabilitation Program (10)					
2,379,870	192,087	8,927,243	11,499,200	2,457,621	192,087	9,076,037
	11,725,745					
10.	Disability Determination Program (11)					
	3,227,187		3,227,187			3,319,142
	3,319,142					
11.	Visual Services Program (13)					
332,916	1,169,434		1,502,350	338,050		1,184,463
	1,522,513					
12.	Developmental Disabilities Program (14)					
18,583,975	25,142,813		43,726,788	18,972,013		25,430,452
	44,402,465					
a.	Personal Care in Group Homes					
	2,315,900		2,315,900			2,299,475
	2,299,475					
b.	Increased Federal Authority					
	1,000,000		1,000,000			1,000,000
	1,000,000					
c.	Provider Rate Increase					
750,858	431,908		1,182,766	1,527,488		873,960
	2,401,448					
13.	Developmental Disabilities Advisory Council (15)					
	420,475		420,475			420,382

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	420,382						
14.	Management Support Services Division (21)						
	1,741,630	15,000	375,892	2,132,522	2,647,562	15,000	1,071,719
		3,734,281					
	a.	Legislative Audit (Restricted/Biennial)					
	91,212	15,042		106,254			
	b.	CAPS Development (OTO)					
	627,680	1,883,041		2,510,721			
15.	Regional Administration (22)						
	6,828,793	1,017,077	3,271,080	11,116,950	6,859,373	1,017,077	3,286,416
		11,162,866					
	a.	Protective Services Workers (Restricted)					
	213,386	122,761		336,147	332,988		191,568
		524,556					
	b.	SB 55 -- County Administrative Costs					
	307,272	63,382		370,654	307,272		63,382
		370,654					
16.	Program Management Division (25)						
	13,909,879	1,811,649	14,330,305	30,051,833	14,467,905	1,812,761	14,465,871
		30,746,537					
	a.	Crisis Nursery Project (OTO)					
		200,000		200,000		200,000	
		200,000					
	b.	Family Preservation and Support (Biennial)					
		997,843		997,843			
	c.	Partnership Project					
		150,000	2,000,000	2,150,000		150,000	2,000,000
		2,150,000					
	d.	Foster Care Provider Rate Increase					
	119,753	12,167	49,435	181,355	250,667	24,516	103,235
		378,418					
	e.	At-Risk Child Care (Restricted)					
	383,260	915,928		1,299,188	389,756		909,432
		1,299,188					
	f.	W.K. Kellogg Grant -- Matching Funds (Biennial)					
		240,377		240,377			
17.	Central Office (31)						
	1,024,572	115,956		1,140,528	1,021,057	116,751	
		1,137,808					
	a.	Legislative Audit (Restricted/Biennial)					
	71,924	12,695	1,567	86,186			
18.	Mental Health (33)						
	38,997,947	147,752	1,792,415	40,938,114	39,524,499	147,759	1,796,062
		41,468,320					
	a.	SB 223 -- Managed Care Authority					
					20,773,720		
		20,773,720					
19.	Chemical Dependency (34)						
	2,565,304	3,376,970		5,942,274	2,591,941	3,379,695	

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	5,971,636					
20.	Special Services (35)					
	15,979,191	2,370,550	1,311,506	19,661,247	15,313,669	2,271,493
		18,911,779				1,326,617
21.	Director's Office (41)					
	23,283		346,272	369,555	23,284	
	348,019	371,303				
22.	Central Services (42)					
		484,437		484,437		489,644
	489,644					
a.	Legislative Audit (Restricted/Biennial)					
		18,161		18,161		
23.	Health Services (46)					
	1,513,702	739,811	1,460,183	3,713,696	1,470,652	743,687
		3,588,959				1,374,620
a.	Certificate of Need (Biennial)					
	92,246			92,246		
b.	Local Health Care Providers (Restricted/Biennial)					
	300,000	300,000		600,000		
c.	Tumor Registry					
		138,342		138,342		120,249
	120,249					
24.	Family/Maternal and Child Health Bureau (47)					
	620,822	24,974,896		25,595,718	620,241	26,035,092
		26,655,333				
a.	MIAMI (Restricted)					
	414,000			414,000	414,000	
	414,000					
b.	SB 292 -- Right to Know Information					
	37,134			37,134	36,334	
	36,334					
25.	Preventive Health Bureau (48)					
	110,000	4,475,659		4,585,659	112,000	4,601,344
		4,713,344				
a.	Communicable Disease Emergency Fund (Restricted/Biennial)					
	50,000			50,000		
26.	Health Facilities Division (49)					
	682,456	1,873,484		2,555,940	687,795	1,885,380
		2,573,175				

The legislature intends that expenditures for all provider rate increases approved by the legislature be limited to the dollar amounts appropriated rather than the percentage increase on which the original estimates may have been based. The department will be in compliance with this provision if:

(1) it estimates total cost for each medicaid service category in June prior to the beginning of each fiscal year of the 1997 biennium; and

(2) the percentage increase or base adjustments approved by the department are limited to the dollar amount appropriated for each provider rate increase.

The AFDC payment level for the 1997 biennium must be established at no less than 40.5% of the federal poverty index.

The department shall require that JOBS participants who leave the program because of employment be

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tracked up to 1 year after their termination with the JOBS program as a condition of letting JOBS contracts. Exemptions from this requirement include JOBS participants who are no longer Montana residents or JOBS participants who cannot be reached despite good faith efforts. The department shall report to the 55th legislature regarding the employment and earning status of former JOBS participants served during the 1997 biennium.

Contingent on passage and approval of Senate Bill No. 209, the family assistance program shall notify the regional administration that children in a household are at risk when that household receives a sanction that includes reduction of the adult portion of the AFDC grant.

Funds in item 1a must be used for a teen parent program. The department may use general fund money in item 1a for a teen parent program for teen parents who are not AFDC eligible and for teen parents who are AFDC eligible but younger than 15 years of age.

The department is authorized to retain 7.5% of the federal community services block grant and pass through the remaining 92.5% to the human resource development councils (HRDCs). If during fiscal year 1996 or fiscal year 1997 the block grant falls below the federal fiscal year 1990 grant level, the department shall retain only 5% of the grant amount and pass through the remaining 95% to the HRDCs.

The state share of AFDC-related support collections and all AFDC and non-AFDC federal incentive payments and program-collected fees must be deposited in the state special revenue account from which the state share of the administrative and operational costs of the child support enforcement program must be paid. The department shall transfer to the general fund from the child support enforcement account any cash balance in excess of \$350,000.

The department is appropriated funds for a pilot project in Deer Lodge County. The pilot project may include work, job training, subsistence payments, and preventive health programs for low-income people. The use of appropriated funds in item 5a is contingent on Deer Lodge County levying 12 mills for its poor fund for public assistance, protective services, and other benefits for low-income people.

The department shall implement 53-6-101(10) if medicaid expenditures exceed appropriations in [this act] in either year of the biennium.

The department shall perform a statistically valid survey of dentists to determine usual and customary charges for children's dental services during fiscal year 1996. The department shall compute the 1999 biennium cost of establishing medicaid reimbursement for children's dental services at 80% of usual and customary charges based on the survey results. The executive budget must publish by fiscal year the 1999 biennium cost to fund medicaid reimbursement for children's dental services at 80% of survey rates.

The legislature intends that \$70,653,143 of the amount in fiscal year 1996 and \$77,127,105 of the amount in fiscal year 1997 in item 6 are appropriated for hospital medicaid benefits.

Because of de-earmarking by Senate Bill No. 83, item 6 has been reduced by \$6,611,179 in state special revenue in fiscal year 1996 and by \$6,665,040 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 6 are reduced by \$6,611,179 in fiscal year 1996 and by \$6,665,040 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Funds in item 6b must be used to contract for orthodontia consultation and pediatric dental consultation for medicaid dental claims, medicaid policy development, and representation of the department in fair hearings.

The department may use funds in items 6d and 6e to increase rates paid for medicaid services purchased from hospitals and nursing homes. If hospital or medicaid providers sue the department to obtain additional increases in medicaid rates, the department may use the funds to defend the state against the lawsuit. In the event the defense is unsuccessful, the department may reallocate funds from other appropriations to fund nursing home and hospital rate increases.

Funds in item 6f may be used only for rate increases for children's dental services. Funds in item 6f may not be transferred to other uses in the department or to another department.

If Senate Bill No. 236 is passed and approved and if the department collects estate recoveries and other

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savings because of Senate Bill No. 236 in excess of \$600,000 in fiscal year 1996 or \$600,000 in fiscal year 1997, up to \$1 million of general fund money and matching federal funds of those excess savings are appropriated each year for independent living and community-based medicaid services.

Item 8 includes efficiencies and savings of 25 FTE, \$412,500 in general fund money, and \$412,500 in federal special revenue in fiscal year 1997 based on passage and approval of Senate Bill No. 345, which reorganizes human services and public health agencies. The executive branch can allocate these reductions among programs in the department of public health and human services. If Senate Bill No. 345 is not passed and approved, the appropriation in item 8 is increased by 25 FTE, \$412,500 in general fund money, and \$412,500 in federal special revenue in fiscal year 1997.

If Senate Bill No. 345 is passed and approved, the department shall solicit proposals to establish a local structure to administer and coordinate human services programs. To the extent feasible and permitted by federal law, the proposal must include administration of all of the programs transferred to the department of public health and human services. The department shall accept one or more proposals as a demonstration project, with an anticipated beginning date of July 1, 1996. Funding for the demonstration project must be taken from appropriations authorized in [this act]. If Senate Bill No. 345 is passed and approved, the department shall create an advisory committee to assist in the preparation of a report to the 55th legislature on the feasibility of expanding the demonstration proposal to establish local administration and coordination of human services programs. The report must contain a preliminary evaluation of the demonstration project described above.

Funds for item 8b are to fund welfare fraud investigation. The department of justice may hire FTE rather than contract for services if the department certifies to the office of budget and program planning that FTE are more cost-effective than contracted services.

The funds for item 8c are contingent on the passage and approval of House Bill No. 511.

If the department considers contracting for operation of the TEAMS or SEARCHS computer applications on a privately owned and operated mainframe or midrange computer or if the department plans to purchase a midrange computer for the operation of these systems, the department shall submit to the office of budget and program planning and to the legislative finance committee a comparison of the cost of operating the system on the state mainframe computer managed by the department of administration or on a midrange computer owned by the department. The department of administration shall estimate rate changes that would occur because of removal of TEAMS or SEARCHS from the state mainframe. If the office of budget and program planning determines that statewide cost savings are greater than the private contract cost savings or savings because of the purchase of a departmental midrange computer, the department shall operate TEAMS or SEARCHS on the state mainframe computer if continued operation of TEAMS or SEARCHS on the state mainframe does not conflict with federal regulations.

Provider rate increases funded in item 12c must be allocated between general operating inflationary increases and wage increases for the lowest wage, direct-care line workers of developmental disabilities providers. No less than \$375,429 of general fund money and \$215,954 of federal special revenue in fiscal year 1996 and \$758,100 of general fund money and \$433,751 of federal special revenue in fiscal year 1997 must be granted with no specific expense allocation, and the remainder of the rate increase must be allocated to salaries for the lowest-wage, direct-care line workers.

The department may pursue funding of any existing eligible state general-funded services under the federal ICF/MR program if the federal government fails to approve adequate medicaid waiver funding under the home- and community-based waiver program.

It is the intent of the legislature that in fiscal year 1996 and fiscal year 1997, any unexpended portion of the department's general fund appropriation, up to \$500,000 for the biennium, may be awarded by the department for the purposes of providing primary and preventive health care benefits to children who are uninsured and not eligible for medicaid benefits. To qualify, the family income may be no greater than 185% of the federal poverty level. The department may contract with public or private entities for the administration and provision of these services. These funds may be allocated only to those programs that have established a statewide network of medical providers who have agreed to accept reimbursement at a lower rate than would

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normally be charged for their services.

The department shall prepare a unified budget for the interagency coordinating council on prevention of child abuse and neglect. The unified budget must identify services funded, expenditures by service in fiscal year 1996, and preliminary amounts budgeted for the 1999 biennium by service and fund type from the department, office of public instruction, board of crime control, and department of labor and industry. A preliminary budget must be presented to the joint oversight committee on children and families, the legislative finance committee, and the office of budget and program planning by September 1, 1996. The unified budget must be published in the governor's budget request to the 55th legislature.

The department may add FTE instead of contracting for services if it certifies to the office of budget and program planning that FTE are more cost-effective than contracting. FTE added through this language may not be included in the 1999 biennium base budget.

The department shall notify the parents, legal guardians, or caretakers of the children of male and female prisoners in the state of Montana of the state services available to children and families. Services provided by the department and department of corrections and human services must be listed and explained. Notification may be waived if the children of prisoners do not reside in Montana.

Funds in item 14b may not be included in the fiscal year 1996 base budget.

Funds in item 15a may be used only for new social worker positions with duties related to child or elder abuse and neglect. The department shall establish an accounting center and a budget center to track expenditures for and the number of abuse and neglect workers separate from other department FTE. The department shall report abuse and neglect FTE and related expenditures separate from other budget functions in its budget request to the 55th legislature.

Funds in item 15b are contingent on passage and approval of Senate Bill No. 55.

The department shall present a report to the 55th legislature confirming the outcome of the partnership project. The report must include the number of families and children served and the types of services funded and must verify the impact on the growth in the foster care caseload, if any. The report must explicitly identify fiscal year 1996 expenditures by fund type, service, and county location, compared to the estimated expenditures by fund type and service for the 1999 biennium.

Because of de-earmarking by Senate Bill No. 83, item 16 has been reduced by \$35,406 in state special revenue in fiscal year 1996 and by \$34,409 in state special revenue in fiscal year 1997 and general fund amounts have been increased by the same amounts. If Senate Bill No. 83 is not passed and approved in a form that de-earmarks the state special revenue, then the general fund amounts in item 16 are reduced by \$35,406 in fiscal year 1996 and by \$34,409 in fiscal year 1997 and the state special revenue amounts are increased by the same amounts.

Funds in item 16a may not be included in the base budget for the 1999 biennium.

Item 16c is to develop family support services for children at risk of abuse or neglect and for children who have been referred for abuse or neglect and to develop community-based services for children placed in or who are at risk of being placed in juvenile corrections facilities. The development of additional services is contingent on recovery of federal funds through department refinancing initiatives and the collection of contributions from parents of children. Services must be developed within appropriation limitations in [this act], and the department may not expand partnership services so that foster care general fund requirements are greater than appropriations in [this act].

Funds in item 16e may be used only to fund child care benefit costs for families who are at risk of becoming eligible for AFDC. Funds in item 16e may not be used for any other purpose, transferred to any other use in the department, or transferred to another department.

Funds in item 18a are contingent on passage and approval of Senate Bill No. 223.

If the Eastmont human services center does not remain in operation at current capacity, item 20 is decreased by \$22,865 in general fund money in fiscal year 1996 and \$22,944 in general fund money in fiscal year 1997 to fund 1.0 FTE in the Eastmont vocational program.

The department is directed to develop and purchase mental health services for children and adolescents

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that minimize the necessity of residential placements and that control the expenditures for residential care.

All services under the managing resources Montana (MRM) program must be purchased based on an RFP process that provides for effective services at the lowest possible cost. The department shall develop measures of program effectiveness and require contractors selected under the RFP process to provide the information necessary to determine the effectiveness of services. The department may not contract with any service provider that has been found, through a court of law, to have, through fraud or falsification of documents, attempted to receive public funds to which the provider was not entitled.

Funds in item 23a are contingent on passage and approval of Senate Bill No. 416.

General fund money in item 23b may be used only to contract for assistance to local health care providers in obtaining medicaid reimbursement and to assist communities in implementing local health care services.

Funds in item 23c are appropriated with the requirement that the development and operation of the tumor registry must be coordinated with all other medical data bases operated by the state so that the sharing of information is facilitated and the duplication of effort is reduced.

Item 24b is contingent on passage and approval of Senate Bill No. 292.

During the 1997 biennium, the department shall:

- (1) by July 1, 1996, develop and implement a consolidated contract for all health care grants;
- (2) by October 1, 1995, revise and update the maternal and child health (MCH) rules to reflect the current block grant legislation with the amendments to the Federal Omnibus Budget Reconciliation Act of 1989. The rules must address the local match requirement. The department shall also establish a core set of MCH services. The department shall ensure that MCH block grant funds are not used for noncore services unless each core service is ensured or unless the entity receiving the grant has demonstrated through a formal needs assessment process that the core service not being provided is not needed. The rules must address medicaid billing and reimbursement and must contain a provision that all MCH block grant money be spent on MCH services and that it not be used to supplant local funds.
- (3) Explore all opportunities for maximizing medicaid revenue, including requiring local health units to bill medicaid for reimbursable services and using available general fund and state special revenue appropriations to match medicaid funds for state-level activities. If necessary, the department shall assist local health units in maximizing medicaid revenue. By October 1, 1995, department rules must require that MCH block grant funds be provided only if an effective method of maximizing medicaid revenue has been established by the receiving entity; however, this requirement does not apply if an entity has determined and demonstrated that billing medicaid is not cost-effective.
- (4) Use priority setting in the disbursement of MCH block grant funds. By October 1, 1995, rules and formulas for distribution of funds to local entities must be revised to give the opportunity to help those counties, regions, or communities with the least resources, largest proportions of underserved families, and most serious maternal and child health problems, as identified by objective health indicators and community needs assessments. The MIAMI project and other public health programs must be operated in a similar manner.
- (5) By October 1, 1995, require local health agencies to assume more responsibility for outreach and education for services to clients of such related state programs as passport; family support programs; and early periodic screening, diagnosis, and treatment (EPSDT);
- (6) by October 1, 1995, ensure that the majority of local health care agencies bill medicaid for the provision of immunizations and well child visits/EPSDT; and
- (7) on July 1, 1995, and every 6 months thereafter, file status reports with the members of the human services subcommittee on appropriations and with the legislative fiscal analyst regarding the six requirements provided above. At a minimum, the reports must address:
 - (a) progress in implementing these requirements;
 - (b) the amount of additional medicaid money the department has been able to access and an explanation of how and where that money is being used; and
 - (c) an explanation of the progress that the department expects to achieve during the next 6-month and

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12-month periods.

NEW SECTION. Section 18. Appropriations related to miscellaneous reorganizations. Contingent on passage and approval of:

(1) Senate Bill No. 361, the following money is appropriated for the respective fiscal years:

DEPARTMENT OF TRANSPORTATION

9. Highway Traffic Safety (36)

250,000	86,000	4,510,578	4,846,578	250,000	85,879	4,512,456
4,848,335						

It is the intent of the legislature that the school bus safety services, formerly provided by the office of public instruction, be provided by the highway traffic safety division during the 1997 biennium.

(2) House Bill No. 563, the following money is appropriated for the respective fiscal years:

DEPARTMENT OF ADMINISTRATION

10. Warrant Writing and Bad Debt Management (10)

	941,532	941,532	943,676
943,676			

a. Legislative Audit (Restricted/Biennial)

27,534	27,534
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If House Bill No. 563 is not passed and approved, proprietary revenue in item 10 must be decreased by \$741,278 in fiscal year 1996 and \$744,922 in fiscal year 1997, general fund money must be increased by \$140,843 in fiscal year 1996 and \$141,535 in fiscal year 1997, and state special revenue must be increased by \$600,435 in fiscal year 1996 and \$603,387 in fiscal year 1997.

If House Bill No. 563 is not passed and approved, proprietary revenue in item 10a must be reduced by \$25,483 in fiscal year 1996 and state special revenue must be increased by the same amount.

(3) House Bill No. 280, the following money is appropriated for the respective fiscal years:

DEPARTMENT OF LIVESTOCK

8. Milk Control Bureau (37)

234,908	234,908	236,467
236,467		

a. Legislative Audit (Restricted/Biennial)

544	544
-----	-----

(4) Senate Bill No. 4, the following money is appropriated for the respective years:

GOVERNOR'S OFFICE

8. Indian Affairs Coordinator (05)

107,856	107,856	108,209
108,209		

A. Legislative Audit (Restricted/Biennial)

400	400
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NEW SECTION. Section 19. Adjustments to proprietary appropriations -- HB 576. If House Bill No. 576 Is passed and approved, proprietary funds in the following departments and items in [section 15] are void:

SECRETARY OF STATE

Item 1

Item 1A

OFFICE OF THE STATE AUDITOR

Item 4

DEPARTMENT OF TRANSPORTATION

Item 4

Item 5

Item 7

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DEPARTMENT OF REVENUE

Item 3

DEPARTMENT OF ADMINISTRATION

Item 1 97,074 Fiscal 1996 and 97,617 Fiscal 1997

Item 3

Item 3A

Item 4 through Item 4C

Item 5 through Item 5D

Item 6

Item 6A

Item 7

Item 7A through 7C

Item 8

Item 8A

DEPARTMENT OF LABOR AND INDUSTRY

Item 2 159,964 Fiscal 1996 and 164,315 Fiscal 1997

Item 2A

Item 3

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

Item 1

Item 2

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Item 1

Item 2

Item 6

Item 6D

Item 6E

Item 6F

DEPARTMENT OF STATE LANDS

Item 1

DEPARTMENT OF AGRICULTURE

Item 2

DEPARTMENT OF COMMERCE

Item 4

Item 4A

Item 8

Item 8A

Item 9

Item 9A

Item 12

Item 12A

Item 14

Item 14A

Item 15

Item 15A

Item 16

Item 16A

Item 18

Item 18B

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Item 18C
DEPARTMENT OF JUSTICE
Item 2
DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES
Item 2 5,434,128 Fiscal 1996 and 6,252,358 Fiscal 1997
OFFICE OF PUBLIC INSTRUCTION
Item 1
MONTANA UNIVERSITY SYSTEM
Item 1"

For the House:

Zook, Chairman
Bergsagel
Quilici

For the Senate:

Aklestad, Chairman
Swysgood
Jacobson

Free Conference Committee
on House Bill 5
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 5, met and considered:

1. Title, line 7.

Following line 6.

Insert: "APPROPRIATING \$3.5 MILLION IN GENERAL FUND MONEY FOR SCHOOL FACILITIES;"

2. Page 1, lines 13 and 16.

Strike: "12"

Insert: "13"

3. Page 2, following line 4.

Insert:

"Scagliola Repair and Restoration 275,400"

LRBP

The purpose of this amendment is to provide authorization and \$275,400 in funding from the long-range building program account for the repair and restoration of the scagliola columns located in the Capitol Building. This restoration is to be executed as part of the overall Capitol Restoration Project.

4. Page 2, following line 4.

Insert: "Roof Replacements, Statewide

350,000"

LRBP

The purpose of this amendment is to appropriate \$350,000 to be used for roof replacement projects on a priority basis, as determined by the Architecture and Engineering staff.

5. Page 2, following line 4.

LRBP

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Insert: "Code Compliance, Health and Safety
Projects, Statewide

350,000"

The purpose of this amendment is to appropriate \$350,000 to be used for code compliance, and health and safety projects on a priority basis, as determined by the Architecture and Engineering staff.

6. Page 2, following line 4.

Insert: "Upgrade Electrical Systems, Capitol Complex

LRBP
200,000"

This amendment appropriates \$200,000 to be used for the upgrade of electrical systems on the Capitol Complex, as determined by the Architecture and Engineering staff.

7. Page 2, following line 4.

Insert: "Emergency Projects, Statewide

LRBP
379,000"

This appropriation is to be used by the Architecture and Engineering Division to fund emergency maintenance and capital projects statewide.

8. Page 2, lines 8 and 9.

Strike: Lines 8 and 9 in their entirety.

The purpose of this amendment is to remove the roof replacement projects at the Montana State Hospital in Warm Springs, totalling \$70,000 in long-range building program funds. Due to the passage of House Bill No. 594, which authorizes the construction of a new Montana State Hospital, the roof replacements are no longer necessary.

9. Page 2, following line 18.

Insert: "Building Demolition and Asbestos Removal,
Montana State Hospital

LRBP
100,000"

The purpose of this amendment is to provide authorization and funding for projects on the Montana State Hospital campus in Warm Springs, that include building demolition and asbestos removal. It is intended that inmate labor be used in these projects, especially for the purpose of training inmates to perform asbestos removal.

10. Page 2, line 21.

Strike: "100,000"

Insert: "180,000"

The purpose of this amendment is to increase the funding for "Miscellaneous Improvement" projects at the Pine Hills School.

11. Page 5, line 3.

Strike: "1,487,500

262,500

AUXILIARY"

Insert: "300,000"

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This amendment reduces the funding for the Replacement of Primary Electrical Distribution System project at MSU - Billings. Although this project represents the next priority on the Board of Regents' priority listing for projects requiring funding from the long-range building program account, it does not represent the next overall priority for projects to be funded from the LRBP account as determined by the Architecture and Engineering Division staff. .

12. Page 9, following line 27.

Insert: "NEW SECTION. Section 8. State advances and reimbursements for school facilities -- general fund appropriations. There is appropriated to the office of public instruction from the general fund \$1.5 million for the school fiscal year ending June 30, 1996, and \$2 million for the school fiscal year ending June 30, 1997, to pay for state advances and reimbursements for school facilities in accordance with the provisions of House Bill No. 416. The appropriation and authorization provided in [this section] are contingent on passage and approval of House Bill No. 416."

Renumber: subsequent sections

13. Page 10, line 15.

Strike: "2" in two places

Insert: "10" in two places

14. Page 11, following line 4.

Insert: "NEW SECTION. Section 14. Coordination instruction. (1) If [this act] and House Bill No. 349 are both passed and approved, the amounts appropriated for the Bluewater hatchery in [section 2 of this act] and for the Tongue River restoration and river restoration in [section 4 of this act] are appropriated according to the provisions of House Bill No. 349, except that the department of fish, wildlife, and parks may spend up to \$250,000 of the funds identified in [section 3(2)] of House Bill No. 349 from the Bluewater hatchery, and an additional \$250,000 from the department's general license account, to contain, control, and mitigate whirling disease in Montana's waterways. [This act] controls as to any conflicts with the allocation of funds in [section 3(2)] of House Bill No. 349.

(2) If [this act] and House Bill No. 512 are both passed and approved, the amounts appropriated for fishing access site acquisition in [section 3] of [this act] are allocated according to the provisions of House Bill No. 512."

Renumber: subsequent sections.

15. Page 11, lines 6 and 8.

Strike: "11"

Insert: "12"

We recommend that the amendments considered above to House Bill 5 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Bergsagel, Chairman
Grady
McCann

For the Senate:

Harding, Chairman
Crismore
Beck

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Conference Committee
on Senate Bill 132
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Conference Committee on Senate Bill 132, met and considered:

The Governor's Amendments to SB 132 dated March 18, 1995

We recommend that the amendments to SB 132 considered above be accepted.

And that this Conference Committee report be adopted.

For the Senate:

Bishop, Chairman
Jabs
Halligan

For the House:

Anderson, Chairman
McGee
Kottel

COMMUNICATIONS AND PETITIONS

I hereby appoint the following members to the Legislative Audit Committee:

Ernest Bergsagel
Beverly Barnhart
Toni Hagener
Bob Keenan
Bob Pavlovich
Bruce Simon

Sincerely,

John A. Mercer
Speaker of the House

I hereby appoint the following members to the Legislative Council:

Larry Grinde
Don Larson
Red Menahan
Tom Nelson

Sincerely,

John A. Mercer
Speaker of the House

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I hereby appoint the following members to the Legislative Finance Committee:

Ed Grady
Royal Johnson
Mike Kadas
Matt McCann
Bob Raney
Tom Zook

Sincerely,

John A. Mercer
Speaker of the House

I hereby appoint the following members to the Revenue Oversight Committee:

Shiell Anderson
Marian Hanson
Dan Harrington
Chase Hibbard
Bob Ream
Joe Tropila

Sincerely,

John A. Mercer
Speaker of the House

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 111 sponsored by Representative Devaney on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

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Dear Representative Mercer:

Please be informed that I have signed House Bill 176 sponsored by Representatives Hagener, et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 184 sponsored by Representative DeBruycker on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 194 sponsored by Representative Bergman on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 248 sponsored by Representatives Bergsagel et al. on April 12, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 287 sponsored by Representatives Ream et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 301 sponsored by Representatives Soft et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 315 sponsored by Representatives Harrington et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 326 sponsored by Representatives Cocchiarella et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 340 sponsored by Representatives T. Nelson et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 351 sponsored by Representatives Peck et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

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Dear Representative Mercer:

Please be informed that I have signed House Bill 352 sponsored by Representatives Peck et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 356 sponsored by Representatives Boharski et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 360 sponsored by Representatives Quilici et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 404 sponsored by Representative McCulloch on April 12, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 405 sponsored by Representative T. Nelson, on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 457 sponsored by Representatives Vick et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 466 sponsored by Representatives T. Nelson et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

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The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 511 sponsored by Representative R. Johnson on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 556 sponsored by Representatives Simon et al. on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 12, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 564 sponsored by Representative Trexler on April 12, 1995.

Sincerely,

MARC RACICOT
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of

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business on second reading. Motion carried. Representative Fisher in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Wagner excused at this time.

HB 2 - Representative Zook moved the free conference committee report to HB 2 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wiseman, Zook, Mr. Speaker.

Total 56

Noes: Arnott, Barnhart, Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, Menahan, Molnar, Peck, Raney, Ream, Ryan, Schwinden, Shea, S. Smith, Squires, Swanson, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt.

Total 43

Voted Absentee: Wagner, No.

Excused: None.

Total 0

Absent or not voting: Grady.

Total 1

HB 497 - Representative Hibbard moved the free conference committee report to HB 497 be adopted.

Representative Wagner present at this time.

Representative Elliott made a substitute motion that the free conference committee report to HB 497 be not concurred in. Motion failed as follows:

Ayes: Arnott, Barnhart, Boharski, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hagener, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Ream, Ryan, Schwinden, Squires, Swanson, Tuss, Wennemar.

Total 29

Noes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila,

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Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 69

Excused: None.
Total 0

Absent or not voting: Harper, Raney.
Total 2

The do adopt motion of Representative Hibbard passed as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, Denny, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 77

Noes: Carey, DeBruycker, Devaney, Ellingson, Ewer, Hagener, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Larson, McCann, Menahan, Nelson, Peck, Ream, Schwinden, L. Smith, Squires, Swanson, Tuss, Wennemar.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 362 - Representative Tash moved the free conference committee report to SB 362 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, Devaney, Elliott, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 64

Noes: Arnott, Barnhart, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Ewer, Fisher, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.
Total 35

Excused: None.
Total 0

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Absent or not voting: H.S. Hanson.

Total 1

HB 201 - Representative Ellis moved Governor's amendments to HB 201 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Jore, Kadas, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Ream, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wiseman, Zook, Mr. Speaker.

Total 85

Noes: Bergsagel, Carey, Hagener, Harper, Hurdle, J. Johnson, Kottel, Raney, Schwinden, Tropila, Tuss, Wells, Wennemar, Wyatt.

Total 14

Excused: None.

Total 0

Absent or not voting: Keenan.

Total 1

HB 484 - Representative DeBruycker moved Governor's amendments to HB 484 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 94

Noes: Bergsagel, Boharski, Cobb, Jore, Kasten.

Total 5

Excused: None.

Total 0

Absent or not voting: Grinde.

Total 1

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HB 533 - Representative Arnott moved Governor's amendments to HB 533 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel, Kasten, Rehbein.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Fisher moved that the Committee of the Whole report be adopted. Report adopted. (74-23)

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 15

Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 15, met and considered:

1. We recommend that the Free Conference Committee Report to House Bill 15 be adopted.

And this FREE Conference Committee report be adopted.

For the House:

Bergsagel, Chairman
McCann
Kasten

For the Senate:

Harding, Chairman
Christiaens
Beck

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Free Conference Committee
on House Bill 412
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 412, met and considered:

1. Page 4, line 3.

Strike: ", criminal,"

2. Page 4, line 30.

Strike: ", criminal,"

3. Page 5, lines 24 and 25.

Strike: "INCLUDING" on line 24 through "PROCEEDING," on line 25

4. Page 5, line 28 through page 6, line 17.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

5. Page 6, line 19.

Strike: ", criminal,"

6. Page 7, lines 27 and 28.

Following: "civil" on line 27

Strike: ", " on line 27 through "criminal," on line 28

7. Page 8, line 14.

Strike: "CRIMINAL,"

8. Page 3.

Following: line 11

Insert: "(4) "In camera review" means a hearing or review in a courtroom, hearing room, or chambers to which only the parties are admitted. The purpose of the review is to determine whether the environmental self-evaluation report or portions of it are privileged or subject to disclosure. To allow the parties to prepare for the in camera review, the court or administrative body shall issue an order allowing, as necessary, the parties to review the environmental self-evaluation report. The order must place appropriate limits on review of the report to protect against unnecessary disclosure. The information used in preparation for the in camera review may not be used in any investigation or legal proceeding and must otherwise be kept confidential unless and until the information is required to be disclosed. After the hearing or review, the content of the oral evidence and other evidence, the content of the statements of the judge and counsel at the hearing or review, and any transcript of the hearing or review must be sealed and not considered a public record unless and until its contents are disclosed by a court or administrative law judge having jurisdiction over the matter."

9. Page 3, lines 21 and 22.

Following: "VIOLATION"

Strike: "INCLUDING" on line 21 through "EXISTED" on line 22

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Insert: "or possible violation that incorporates all information contained in an environmental self-evaluation report relevant to the identification of a violation or possible violation, including but not limited to field notes, records, findings, conclusions, memorandums, drawings, photographs, computer-generated or electronically recorded information, maps, charts, graphs, surveys, and laboratory analyses"

10. Page 8, lines 19 and 20.

Strike: "WERE BECAUSE OF" on line 19

Insert: "resulted from".

Strike: "GIVING" on line 19 through "VIOLATIONS" on line 20

Insert: "occurring"

We recommend that the amendments considered above to House Bill No. 412 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Orr, Chairman
Tash
Shea

For the Senate:

Grosfield, Chairman
Forrester
Harp

Free Conference Committee
on Senate Bill 223
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 223, met and considered:

1. Page 11, line 24.

Following: "~~department.~~"

Insert: "The department may establish resource and income standards of eligibility for mental health services that are more liberal than the resource and income standards of eligibility for physical health services. The standards for eligibility for mental health services may provide for eligibility for households with family income that does not exceed 200% of the federal poverty threshold or that does not exceed a lesser amount determined in the discretion of the department."

And that this Free Conference Committee report be adopted.

For the Senate:

Keating, Chairman
Baer
Waterman

For the House:

R. Johnson, Chairman
Soft
Barnhart

Free Conference Committee
on Senate Bill 382
Report No. 1, April 12, 1995

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Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 382, met and considered:

1. Title, line 6.

Following: "PROCESS:"

Insert: "ESTABLISHING THE MIXED FUNDING PILOT PROGRAM;"

2. Title, line 9.

Following: "SECTIONS"

Insert: "15-37-117,"

Following: "75-10-701"

Insert: ", "

3. Title, line 10.

Strike: "AND"

Following: "85-1-604,"

Insert: "AND 75-10-722,"

4. Title, line 12.

Strike: "A"

Strike: "DATE"

Insert: "DATES"

5. Page 16, line 21.

Strike: "3"

Insert: "4"

Strike: "11"

Insert: "12"

6. Page 21.

Following: line 25

Insert: "

Section 3. Section 75-10-722, MCA, is amended to read:

"75-10-722. Payment of state costs and penalties. (1) The department shall keep a record of the state's remedial action costs.

(2) Based on this record, the department ~~shall~~ may require a person liable under 75-10-715 to pay the amount of the state's remedial action costs and, if applicable, penalties under 75-10-715(3).

(3) If the state's remedial action costs and penalties are not paid by the liable person to the department within 60 days after receipt of notice that the costs and penalties are due, the department shall bring an action in the name of the state to recover the amount owed plus reasonable legal expenses.

(4) An action to recover remedial action costs may be brought under this section at any time after any remedial action costs have been incurred, and the court may enter a declaratory judgment on liability for remedial action costs that is binding on any subsequent action or actions to recover further remedial action costs. The court may disallow costs or damages only if the person liable under 75-10-715 can show on the record that the costs are not reasonable and are not consistent with this part.

(5) An initial action for recovery of remedial action costs must be commenced within 6 years after initiation of physical onsite construction of the remedial action.

(6) Remedial action costs and any penalties recovered by the state under 75-10-715 must be deposited

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into the environmental quality protection fund established in 75-10-704."
Renumber: subsequent sections

7. Page 21, line 26.

Strike: "3"

Insert: "4"

Strike: "11"

Insert: "12"

8. Page 21, line 30.

Strike: "3"

Insert: "4"

Strike: "11"

Insert: "12"

9. Page 23, line 18.

Strike: "9"

Insert: "10"

10. Page 24, lines 5, 7, and 20.

Strike: "7"

Insert: "8"

11. Page 24, line 26.

Strike: "3"

Insert: "4"

Strike: "11"

Insert: "12"

12. Page 26, lines 18 and 27.

Strike: "9(1)"

Insert: "10(1)"

13. Page 28, line 12.

Strike: "7"

Insert: "8"

14. Page 29, line 5.

Strike: "5(3)"

Insert: "6(3)"

15. Page 29, line 19.

Strike: "11(2)(B)"

Insert: "12(2)(b)"

16. Page 30, line 15.

Strike: "3"

Insert: "4"

Strike: "11"

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Insert: "12"

17. Page 33.
Following: line 10

NEW SECTION. Section 14. Short title. [Sections 14 through 20] may be cited as the "Mixed Funding Pilot Program".

NEW SECTION. Section 15. Purpose -- legislative declaration. (1) The purposes of [sections 14 through 20] are to establish a pilot remediation program to operate in conjunction with the voluntary cleanup program provided for in [sections 4 through 12] and to provide information during the 2-year study process in [section 13].

(2) The legislature further intends that the pilot program provide necessary data related to:

- (a) actual costs incurred in the remediation of facilities;
- (b) the costs associated with the elimination of joint and several liability;
- (c) the potential use of resource indemnity trust fund money in remediating facilities;
- (d) the feasibility of voluntary cleanup plans; and
- (e) the coordination between an applicant and the department in the use of voluntary cleanup programs.

NEW SECTION. Section 16. Criteria. (1) The pilot program must consist of remediation of three sites from the department of state lands' abandoned hard-rock mine priority list. The three sites must be selected from the top ten priority sites on that list as of April 1, 1995.

(2) Any site remediated under this pilot program must meet the following criteria:

- (a) The owner of the property has, prior to May 22, 1989, purchased or entered into a lease purchase agreement or an option to purchase property where the facility is located.
- (b) The applicant has submitted a voluntary cleanup plan in accordance with the provisions of [sections 7 and 8].

(c) The department has accepted and approved the application for a voluntary cleanup plan in accordance with the provisions of [sections 6 through 10].

(3) The department and the applicant shall negotiate an apportionment of the applicant's liability pursuant to [section 17]. The department, as a trier of fact, shall make the final determination of the applicant's apportioned liability. If the applicant disagrees with the department's determination of the applicant's proportionate share of liability, the applicant may appeal the department's decision in accordance with the requirements of [section 6(4)].

(4) If more than three applicants submit voluntary cleanup plans for the highest priority sites on the department of state lands' abandoned hard-rock mine priority list and the department approves more than three plans, the department shall select three plans to incorporate into the pilot program on a priority basis as determined by the date of submittal of a complete application.

NEW SECTION. Section 17. Mixed funding -- determination of liability. (1) An applicant who satisfies the requirements of [section 16(2)] shall meet with the department within 30 days of approval of the voluntary cleanup plan to negotiate an apportionment of liability for the site. The burden is on the applicant to show how the applicant's liability should be apportioned. In apportioning the liability of the applicant under this section, the department shall balance all of the following factors:

- (a) the extent to which the applicant caused the release of the hazardous or deleterious substance;
- (b) the extent to which an applicant's contribution to the release of a hazardous or deleterious substance can be diminished;
- (c) the amount of the hazardous or deleterious substance involved;
- (d) the degree of toxicity of the hazardous or deleterious substance involved;

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- (e) the degree of involvement of and care exercised by the applicant in manufacturing, treating, transporting, or disposing of the hazardous or deleterious substance;
 - (f) the degree of cooperation by the applicant with state or local officials to prevent any harm to the public health, safety, or welfare or to the environment; and
 - (g) the applicant's knowledge of the hazardous nature of the substance.
- (2) Once the department and the applicant have negotiated an apportionment of the applicant's liability, the applicant has a right of reimbursement subject to the requirements and limitations of [section 18].

NEW SECTION. Section 18. Claims for and limitations on reimbursement. (1) After completion of the voluntary cleanup plan approved by the department, the applicant may apply to and must, in accordance with this section, receive reimbursement from the abandoned mines state special revenue account. Reimbursement must be subject to the following requirements and limitations:

- (a) The applicant shall complete remediation prior to making a claim for reimbursement.
- (b) The reimbursement may not exceed 90% of eligible costs up to a maximum of \$300,000 per facility.
- (c) The claim for reimbursement may not include legal fees or department costs incurred in the oversight of the voluntary cleanup plan.
- (2) For purposes of this section, "eligible costs" means costs in excess of an applicant's proportionate share of total costs incurred in the remediation of the site during the 1996-97 biennium.
- (3) If costs are reimbursed out of the abandoned mines state special revenue account, nothing in [sections 14 through 20] prohibits the department from pursuing an action against other potentially liable parties to recover those costs.
- (4) If the abandoned mines state special revenue account does not contain sufficient money to pay received claims for reimbursement, the abandoned mines state special revenue account and the department are not liable for making any reimbursement at that time. All claims are subject to appropriations to the abandoned mines state special revenue account.

NEW SECTION. Section 19. Abandoned mines state special revenue account created. (1) There is an abandoned mines state special revenue account within the state special revenue account fund established in 17-2-102.

- (2) There must be paid into the abandoned mines state special revenue account money allocated from the metalliferous mines license tax pursuant to 15-37-117.
- (3) Deposits to the abandoned mines state special revenue account must be placed in short-term investments. The interest on short-term investments must be deposited in the abandoned mines state special revenue account.
- (4) The purpose of the abandoned mines state special revenue account is to provide the funding to the department of health and environmental sciences for the cleanup and reclamation of sites eligible for the pilot program in [sections 14 through 20].

NEW SECTION. Section 20. Incorporation into study process -- report to legislature. The department of health and environmental sciences and applicants participating in the pilot program shall submit reports to the 55th legislature detailing the success of and difficulties with the operation of the pilot program.

Section 21. Section 15-37-117, MCA, is amended to read:

"15-37-117. Disposition of metalliferous mines license taxes. (1) Metalliferous mines license taxes collected under the provisions of this part must, in accordance with the provisions of 15-1-501(6), be allocated as follows:

- (a) to the credit of the general fund of the state, 58% of total collections each year;
- (b) to the state special revenue fund to the credit of a hard-rock mining impact trust account, 1.5% of

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total collections each year;

(c) ~~to the state resource indemnity trust fund, 15.5% to the abandoned mines state special revenue account provided for in [section 19], 8.5%~~ of total collections each year;

(d) to the county or counties identified as experiencing fiscal and economic impacts, resulting in increased employment or local government costs, under an impact plan for a large-scale mineral development prepared and approved pursuant to 90-6-307, in direct proportion to the fiscal and economic impacts determined in the plan or, if an impact plan has not been prepared, to the county in which the mine is located, 25% of total collections each year, to be allocated by the county commissioners as follows:

(i) not less than 40% to the county hard-rock mine trust reserve account established in 7-6-2225; and

(ii) all money not allocated to the account pursuant to subsection (1)(d)(i) to be further allocated as follows:

(A) 33 1/3% is allocated to the county for planning or economic development activities;

(B) 33 1/3% is allocated to the elementary school districts within the county that have been affected by the development or operation of the metal mine; and

(C) 33 1/3% is allocated to the high school districts within the county that have been affected by the development or operation of the metal mine.

(2) When an impact plan for a large-scale mineral development approved pursuant to 90-6-307 identifies a jurisdictional revenue disparity, the county shall distribute the proceeds allocated under subsection (1)(d) in a manner similar to that provided for property tax sharing under Title 90, chapter 6, part 4.

(3) The department shall return to the county in which metals are produced the tax collections allocated under subsection (1)(d). The allocation to the county described by subsection (1)(d) is a statutory appropriation pursuant to 17-7-502."

NEW SECTION. Section 22. Coordination instruction. If House Bill No. 569 and [this act] are both passed and approved, the amendment to 15-37-117(1)(c) in House Bill No. 569, relating to the percentage allocation to the resource indemnity trust fund, is void."

Renumber: subsequent sections

18. Page 33, line 18.

Strike: "3"

Insert: "4"

Strike: "11"

Insert: "12"

19. Page 33, line 19.

Strike: "3"

Insert: "4"

20. Page 33, line 20.

Strike: "11"

Insert: "12"

21. Page 33, line 27.

Strike: "2"

Insert: "4"

Strike: "10"

Insert: "12"

22. Page 34, line 4

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Following: "TERMINATION."

Insert: "(1)"

Strike: "2"

Insert: "4"

Strike: "10"

Insert: "12"

23. Page 34.

Following: line 5

Insert: "(2) [Sections 14 through 21] terminate June 30, 1997."

And that this Free Conference Committee report be adopted.

For the Senate:

Grosfield, Chairman

Lynch

Foster

For the House:

Orr, Chairman

Knox

Tuss

MESSAGES FROM THE SENATE

The Senate, on 4/12/95, acceded to the request of the House and appointed a free conference committee to meet with a like committee from the House to confer on HB 395.

President Brown appointed the following members:

Senator Beck, Chairman

Senator Swysgood

Senator Jergeson

SB 105 - The motion to override the Governor's veto of SB 105, requiring adoption by an affirmative roll call vote of two-thirds, was adopted. The bill was transmitted to the House on 4/12/95.

MOTIONS

Representative Grinde moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Governor's amendments to HB 395. Motion carried.

Mr. Speaker appointed the following members:

Representative Grady, Chairman

Representative Wagner

Representative Raney

Representative Grinde moved the rules be suspended to permit the acceptance of all conference committee reports presented prior to 10:00 a.m., 4/13/95. Motion carried.

HB 2 - Representative Zook moved that the LFA narrative and table accompanying House Bill No. 2 be

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adopted as legislative intent. Motion carried.

HB 405 - Representative Sliter moved the House override the Governor's veto of HB 408. Motion carried. (67-28)

SB 105 - Representative Grimes moved the House override the Governor's veto of SB 105. Motion failed. (59-38)

SB 377 - Representative Boharski moved SB 377 be taken from the table in the Committee on Local Government, printed, and placed on second reading this legislative day. Motion carried. (73-56)

Representative Grinde moved the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 479. Motion carried.

Mr. Speaker appointed the following members:

Representative Arnott, Chairman
Representative Ellis
Representative Kadas

HB 497 - Representative Hurdle moved she be allowed to change her vote on HB 497, second reading, from aye to nay. Motion carried.

SB 414 - Representative Harper moved SB 414 be taken from the table in the Committee on Taxation, printed, and placed on second reading this legislative day. Motion failed. (44-53)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn until 10:00 a.m., Thursday, April 13, 1995. Motion carried.

House adjourned at 7:20 a.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

**HOUSE JOURNAL
EIGHTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 13, 1995

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Steve Vick. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-sixth through the eighty-third legislative days, find the same to be correct.

Hayne, Chairman

Mr. Speaker introduced this week's pages:

Kelli Ryan, Great Falls
Lisa Lang, Malta
Kari Hegreberg, East Helena
Kasi Ober, Shelby
Bobbi Hughes, Glasgow
Tamra Hofeldt, Chinook
Scott Wendt, Polson (permanent page)
John Henry Anderson, Great Falls (permanent page)

Honorary Pages

Kyle Grimes, Clancy
Anne Williams, Butte

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/13/95

Examined by the sponsor and found to be correct: HB 416, HB 594.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill 6
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 6, met and considered:

1. Title, line 7.

Following: "PROGRAM;"

Insert: "AMENDING SECTION 1, CHAPTER 613, LAWS OF 1993;"

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2. Page 2, lines 20 and 21.

Strike: lines 20 and 21 in their entirety

3. Page 5, line 28.

Following: line 27

Insert: "Section 5. Section 1, Chapter 613, Laws of 1993, the appropriations for water development and renewable resource developments programs, on page 2528, Laws of 1993, is amended to read:

~~"TOWN OF HOT SPRINGS~~

~~Camas Therapy Center — 150,000"~~

Renumber: subsequent sections

4. Page 6, line 4.

Strike: "5"

Insert: "6"

We recommend that the amendments to House Bill 6 be acceded to by the Senate.
And this FREE Conference Committee report be adopted.

For the House:

Bergsagel, Chairman
Hagener
Devaney

For the Senate:

Foster, Chairman
Mohl
Lynch

Free Conference Committee
on House Bill 9
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 9, met and considered:

1. Page 4, line 8.

Strike: "7,000"

Insert: "3,000"

2. Page 7, line 7.

Strike: "8,000"

Insert: "5,000"

We recommend that the amendments to House Bill 9 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Bergsagel, Chairman

For the Senate:

Harding, Chairman

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McCulloch
Vick

Beck
Christiaens

Free Conference Committee
on House Bill 395
Report No. 1, April 12, 1995

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 395, met and considered:

1. Title, line 11.

Following: "COORDINATOR;"

Insert: "APPROPRIATING MONEY FROM THE RESOURCE DEVELOPMENT ACCOUNT TO THE DEPARTMENT OF STATE LANDS AND FROM THE NOXIOUS WEED MANAGEMENT STATE SPECIAL REVENUE FUND TO THE DEPARTMENT OF AGRICULTURE TO DEVELOP NOXIOUS WEED MANAGEMENT PLANS;"

2. Page 2, following line 9.

Insert: "NEW SECTION. Section 2. Appropriation. (1) There is appropriated \$54,046 in fiscal year 1996 to the department of state lands from the resource development account for the development of the plan provided for in [section 1].

(2) There is appropriated \$18,865 in fiscal year 1996 from the noxious weed management state special revenue fund to the department of agriculture as a grant to the department of natural resources and conservation for the development of the plan provided for in [section 1]. The money must be granted pursuant to 80-7-814."

Renumber: subsequent section

We recommend that the amendments to House Bill 395 be acceded to by the Senate.

And this FREE Conference Committee report be adopted.

For the House:

Grady, Chairman
Raney
Wagner

For the Senate:

Beck, Chairman
Jergeson
Swysgood

Free Conference Committee
on Senate Bill 257
Report No. 1, April 12, 1995

Mr. President and Mr. Speaker:

We, your Free Conference Committee on Senate Bill 257, met and considered:

1. Title, line 7.

Following: "SECTIONS"

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Insert: "15-6-145, 15-6-201, 15-23-101, 15-23-103, 15-23-104, 15-23-105, 15-23-201,"

Following: "MCA;"

Insert: "REPEALING SECTIONS 15-23-211, 15-23-212, 15-23-213, 15-23-214, 15-23-215, AND 15-23-216, MCA;"

2. Title, line 7.

Strike: "AN"

3. Title, line 8.

Strike: "IMMEDIATE"

Following: "EFFECTIVE"

Strike: "DATE₁"

Insert: "DATES AND"

4. Title, lines 8 and 9.

Following: the second "DATE"

Strike: the remainder of line 8 through "DATE" on line 9

5. Page 3, line 4.

Strike: "ONE-THIRD"

Insert: "one-fourth"

6. Page 3, line 5.

Strike: "TWO-THIRDS"

Insert: "three-fourths"

7. Page 3.

Following: line 12

Insert: "Section 4. Section 15-6-201, MCA, is amended to read:

"15-6-201. Exempt categories. (1) The following categories of property are exempt from taxation:

(a) except as provided in 15-24-1203, the property of:

(i) the United States, except:

(A) if congress passes legislation that allows the state to tax property owned by the federal government or an agency created by congress; or

(B) as provided in 15-24-1103;

(ii) the state, counties, cities, towns, and school districts;

(iii) irrigation districts organized under the laws of Montana and not operating for profit;

(iv) municipal corporations;

(v) public libraries; and

(vi) rural fire districts and other entities providing fire protection under Title 7, chapter 33;

(b) buildings, with land they occupy and furnishings in the buildings, owned by a church and used for actual religious worship or for residences of the clergy, together with adjacent land reasonably necessary for convenient use of the buildings;

(c) property used exclusively for agricultural and horticultural societies, for educational purposes, and for nonprofit health care facilities, as defined in 50-5-101, licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3. A health care facility that is not licensed by the department of health and environmental sciences and organized under Title 35, chapter 2 or 3, is not exempt.

(d) property that meets the following conditions:

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- (i) is owned and held by any association or corporation organized under Title 35, chapter 2, 3, 20, or 21;
- (ii) is devoted exclusively to use in connection with a cemetery or cemeteries for which a permanent care and improvement fund has been established as provided for in Title 35, chapter 20, part 3; and
- (iii) is not maintained and operated for private or corporate profit;
- (e) property owned by institutions of purely public charity and directly used for purely public charitable purposes;
- (f) evidence of debt secured by mortgages of record upon real or personal property in the state of Montana;
- (g) public museums, art galleries, zoos, and observatories not used or held for private or corporate profit;
- (h) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;
- (i) a truck canopy cover or topper weighing less than 300 pounds and having no accommodations attached. This property is also exempt from taxation under 61-3-504(2) and 61-3-537.
- (j) a bicycle, as defined in 61-1-123, used by the owner for personal transportation purposes;
- (k) motor homes, travel trailers, and campers;
- (l) all watercraft;
- (m) motor vehicles, land, fixtures, buildings, and improvements owned by a cooperative association or nonprofit corporation organized to furnish potable water to its members or customers for uses other than the irrigation of agricultural land;
- (n) the right of entry that is a property right reserved in land or received by mesne conveyance (exclusive of leasehold interests), devise, or succession to enter land whose surface title is held by another to explore, prospect, or dig for oil, gas, coal, or minerals;
- (o) property owned and used by a corporation or association organized and operated exclusively for the care of the developmentally disabled, mentally ill, or vocationally handicapped as defined in 18-5-101, which is not operated for gain or profit, and property owned and used by an organization owning and operating facilities for the care of the retired, aged, or chronically ill, which are not operated for gain or profit;
- (p) all farm buildings with a market value of less than \$500 and all agricultural implements and machinery with a market value of less than \$100;
- (q) property owned by a nonprofit corporation organized to provide facilities primarily for training and practice for or competition in international sports and athletic events and not held or used for private or corporate gain or profit. For purposes of this subsection (q), "nonprofit corporation" means an organization exempt from taxation under section 501(c) of the Internal Revenue Code and incorporated and admitted under the Montana Nonprofit Corporation Act.
- (r) the first \$15,000 or less of market value of tools owned by the taxpayer that are customarily hand-held and that are used to:
 - (i) construct, repair, and maintain improvements to real property; or
 - (ii) repair and maintain machinery, equipment, appliances, or other personal property;
 - (s) harness, saddlery, and other tack equipment;
 - (t) a title plant owned by a title insurer or a title insurance producer, as those terms are defined in 33-25-105;
 - (u) beginning January 1, 1994, timber as defined in 15-44-102; and
 - (v) all trailers and semitrailers with a licensed gross weight of 26,000 pounds or more. For purposes of this subsection (v), the terms "trailer" and "semitrailer" mean a vehicle with or without motive power that is:
 - (i) designed and used only for carrying property;
 - (ii) designed and used to be drawn by a motor vehicle; and
 - (iii) either constructed so that no part of its weight rests upon the towing vehicle or constructed so that some part of its weight and the weight of its load rests upon or is carried by another vehicle; and
 - (w) railroad cars not owned by a railroad company.

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(2) (a) The term "institutions of purely public charity" includes any organization that meets the following requirements:

(i) The organization qualifies as a tax-exempt organization under the provisions of section 501(c)(3), Internal Revenue Code, as amended.

(ii) The organization accomplishes its activities through absolute gratuity or grants; however, the organization may solicit or raise funds by the sale of merchandise, memberships, or tickets to public performances or entertainment or by other similar types of fundraising activities.

(b) For the purposes of subsection (1)(g), the term "public museums, art galleries, zoos, and observatories" means governmental entities or nonprofit organizations whose principal purpose is to hold property for public display or for use as a museum, art gallery, zoo, or observatory. The exempt property includes all real and personal property reasonably necessary for use in connection with the public display or observatory use. Unless the property is leased for a profit to a governmental entity or nonprofit organization by an individual or for-profit organization, real and personal property owned by other persons is exempt if it is:

(i) actually used by the governmental entity or nonprofit organization as a part of its public display;

(ii) held for future display; or

(iii) used to house or store a public display.

(3) The following portions of the appraised value of a capital investment made after January 1, 1979, in a recognized nonfossil form of energy generation or low emission wood or biomass combustion devices, as defined in 15-32-102, are exempt from taxation for a period of 10 years following installation of the property:

(a) \$20,000 in the case of a single-family residential dwelling;

(b) \$100,000 in the case of a multifamily residential dwelling or a nonresidential structure."

Section 5. Section 15-6-145, MCA, is amended to read:

"15-6-145. Class twelve property -- description -- taxable percentage. (1) Class twelve property includes ~~all property of a railroad car company as defined in 15-23-211~~, all railroad transportation property, except railroad cars not owned by a railroad company, as described in the Railroad Revitalization and Regulatory Reform Act of 1976 as it read on January 1, 1986, and all airline transportation property as described in the Tax Equity and Fiscal Responsibility Act of 1982 as it read on January 1, 1986.

(2) For the tax year beginning January 1, 1991, and for each tax year thereafter, class twelve property is taxed at the percentage rate "R", to be determined by the department as provided in subsection (3), or 12%, whichever is less.

(3) $R = A/B$ where:

(a) A is the total statewide taxable value of all commercial property, except class twelve property, as commercial property is described in 15-1-101(1)(d); and

(b) B is the total statewide market value of all commercial property, except class twelve property, as commercial property is described in 15-1-101(1)(d).

(4) (a) For the taxable year beginning January 1, 1986, and for every taxable year thereafter, the department shall conduct a sales assessment ratio study of all commercial and industrial real property and improvements. The study must be based on:

(i) assessments of such property as of January 1 of the year for which the study is being conducted; and

(ii) a statistically valid sample of sales using data from realty transfer certificates filed during the same taxable year or from the immediately preceding taxable year, but only if a sufficient number of certificates is unavailable from the current taxable year to provide a statistically valid sample.

(b) The department shall determine the value-weighted mean sales assessment ratio "M" for all such property and reduce the taxable value of property described in subsection (4) only, by multiplying the total statewide taxable value of property described in subsection (4)(a) by "M" prior to calculating "A" in subsection (3)(a).

(c) The adjustment referred to in subsection (4)(b) will be made beginning January 1, 1986, and in each subsequent tax year to equalize the railroad taxable values.

(5) For the purpose of complying with the Railroad Revitalization and Regulatory Reform Act of 1976,

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as it read on January 1, 1986, the rate "R" referred to in this section is the equalized average tax rate generally applicable to commercial and industrial property, except class twelve property, as commercial property is defined in 15-1-101(1)(d)."

Section 6. Section 15-23-101, MCA, is amended to read:

"15-23-101. Properties centrally assessed. The department of revenue shall centrally assess each year:

(1) the franchise, roadway, roadbeds, rails, rolling stock, and all other operating property of railroads ~~and railroad car companies~~ operating in more than one county in the state or more than one state;

(2) property owned by a corporation or other person operating a single and continuous property operated in more than one county or more than one state, including telegraph, telephone, microwave, electric power or transmission lines; natural gas or oil pipelines; canals, ditches, flumes, or like properties and including, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or distribute electrical energy, property constructed, owned, or operated by a public agency created by the congress to transmit or distribute electric energy produced at privately owned generating facilities (not including rural electric cooperatives);

(3) all property of scheduled airlines;

(4) the net proceeds of mines and of oil and gas wells;

(5) the gross proceeds of coal mines; and

(6) property described in subsections (1) and (2) which is subject to the provisions of Title 15, chapter 24, part 12."

Section 7. Section 15-23-103, MCA, is amended to read:

"15-23-103. Due date of reports and returns -- extensions. (1) Except as provided in subsection (2) and 15-23-602, each report or return described in 15-23-301, 15-23-402, 15-23-502, 15-23-701, or 15-23-517 must be delivered to the department on or before March 31 each year.

(2) Each report or return for a natural gas or oil pipeline described in 15-23-301 must be delivered to the department on or before April 15 each year.

(3) Each report described in 15-23-201, ~~15-23-212~~, 15-23-515, or 15-23-516 must be delivered to the department before April 15 each year.

(4) The department may for good cause extend the time for filing a return or report for not more than 30 days."

Section 8. Section 15-23-104, MCA, is amended to read:

"15-23-104. Failure to file -- estimate by department -- penalty. ~~(1)~~ If any person fails to file a report or return within the time established in 15-23-103 or by a later date approved by the department, the department shall estimate the value of the property that should have been reported on the basis of the best available information. In estimating the value of the net proceeds of mines, the department shall proceed under 15-23-506, and in estimating the value of the gross proceeds of coal mines, the department shall proceed under 15-35-107. In estimating the value of all other property subject to assessment under parts 2 through 4 of this chapter, the department shall proceed under 15-1-303. In estimating value under this section, the department may subpoena a person or the person's agent as specified in 15-1-302. An assessment pursuant to parts 5 through 8 of this chapter based on estimated value or imputed value is subject to review under 15-1-211. For each month or part of a month that a report is delinquent, the department shall impose and collect a \$25 penalty, with the total not to exceed \$200, and shall deposit the penalty to the credit of the general fund. The department shall assess a penalty of 1% of the tax due for each month or part of a month that the report is delinquent. The department shall notify the county treasurer of each affected county of the amount of the penalty, and the treasurer shall collect the penalty in the same manner as the taxes to which the penalty applies.

~~(2) For a delinquency in reporting under 15-23-212, the department shall assess a penalty of 1% of the tax due for each month or part of a month that the report is delinquent."~~

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Section 9. Section 15-23-105, MCA, is amended to read:

"15-23-105. Apportionment among counties. The department shall apportion the value of property assessed under 15-23-101, 15-23-202, or 15-23-403, ~~other than railroad car company property~~, among the counties in which such property is located. Apportionment shall be on a mileage basis or on the basis of the original installed cost of the centrally assessed property located in the respective counties. If the property is of such a character that its value cannot reasonably be apportioned on the basis of mileage or on the basis of the original installed cost of the centrally assessed property located in the respective counties, the department may adopt such other method or basis of apportionment as may be just or proper."

Section 10. Section 15-23-201, MCA, is amended to read:

"15-23-201. Assessment of railroads. The president, secretary, or managing agent or such other officer as the department of revenue may designate of any corporation and each person or association of persons owning or operating any railroad in more than one county in this state or more than one state must on or before April 15 each year furnish the department a statement signed and sworn to by one of such officers or by the person or one of the persons forming such association, showing in detail for the year ending December 31 immediately preceding:

(1) the whole number of miles of railroad in the state and, where the line is partly out of the state, the whole number of miles without the state and the whole number within the state, owned or operated by such corporation, person, or association;

(2) the value of the roadway, roadbed, and rails of the whole railroad and the value of the same within the state;

(3) the width of the right-of-way;

(4) the number of each kind of all rolling stock used by such corporation, person, or association in operating the entire railroad, including the part without the state;

(5) the number, kind, and value of rolling stock owned and operated in the state;

(6) the number, kind, and value of rolling stock used in the state but not owned by the party making the returns;

(7) the number, kind, and value of rolling stock owned but used out of the state, either upon divisions of road operated by the party making the returns or by and upon other railroads;

(8) the whole number of sidetracks in each county, including the number of miles of track in each railroad yard in the state;

(9) the number of each kind of rolling stock used in operating the entire railroad, including the part without the state, which must include a detailed statement of the number and value thereof of all engines; passenger, mail, express, baggage, freight, and other cars; or property owned or leased by such corporation, person, or association;

(10) the number of sleeping and dining cars not owned by such corporation, person, or association but used in operating the railroads of such corporation, person, or association in the state or on the line of the road without the state during each month of the year for which the return is made; also the number of miles each month the cars have been run or operated within and without the state;

(11) a description of the road, giving the points of entrance into and the points of exit from each county, with a statement of the number of miles in each county. When a description of the road has once been given, no other annual description thereof is necessary unless the road has been changed. Whenever the road or any portion of the road is advertised to be sold or is sold for taxes, either state or county, no other description is necessary than that given by, and the same is conclusive upon, the person, corporation, or association giving the description. No assessment is invalid on account of a misdescription of the railroad or the right-of-way for the same. If such statement is not furnished as above provided, the assessment made by the department upon the property of the corporation, person, or association failing to furnish the statement is conclusive and final.

(12) the gross earnings of the entire road;

(13) the gross earnings of the road within the state and, if the railroad is let to other operators, how much was derived by the lessor as rental;

(14) the cost of operating the entire road, exclusive of sinking fund, expenses of land department, and

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money paid to the United States;

(15) net income for such year and amount of dividend declared;

(16) capital stock authorized;

(17) capital stock paid in;

(18) funded debt;

(19) number of shares authorized;

(20) number of shares of stock issued; and

(21) ~~number, kind, and total number of miles traveled within the state by railroad cars owned by railroad car companies; and~~

(22) any other facts the department may require."

NEW SECTION. Section 11. Repealer. Sections 15-23-211, 15-23-212, 15-23-213, 15-23-214, 15-23-215, and 15-23-216, MCA, are repealed."

Renumber: subsequent sections

8. Page 3, line 14.

Strike: "date"

Insert: "dates"

Following: "applicability."

Insert: "(1)"

Strike: "[This act] is"

Insert: "[Sections 1 through 3 and this section] are"

9. Page 3, line 15.

Strike: "applies"

Insert: "apply"

10. Page 3.

Following: line 16

Insert: "(2) [Sections 4 through 11] are effective January 1, 1998."

11. Page 3, line 18.

Strike: Section 5 in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:

Gage, Chairman

Harp

Eck

For the House:

Grinde, Chairman

Arnott

Swanson

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 396 passed as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: S. Smith.

Total 1

Excused: None.

Total 0

Absent or not voting: Denny, Jore, Tuss.

Total 3

HB 416 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, L. Smith, Soft, Squires, Stovall, Swanson, Taylor, Trexler, Tropila, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 77

Noes: Bergsagel, Boharski, Brainard, DeBruycker, Grinde, Hayne, Jore, Kasten, Keenan, McGee, Pavlovich, Rehbein, Simpkins, Sliter, S. Smith, Somerville, Story, Tash, Vick, Wagner, Wells.

Total 21

Excused: None.

Total 0

Absent or not voting: Rose, Tuss.

Total 2

SB 333, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft,

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Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Cobb, Fisher, Jore, Kasten, Keenan, Menahan, Rehbein, S. Smith.

Total 8

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

SB 398, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, Jore, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, McCann, McCulloch, Menahan, Molnar, Peck, Raney, Ream, Schwinden, Shea, Squires, Swanson, Tropila, Wennemar, Wyatt.

Total 31

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 89, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Arnott, Brainard, Jore, Keenan, S. Smith, Vick.

Total 6

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Excused: None.

Total 0

Absent or not voting: Bohlinger, R. Johnson, Tuss.

Total 3

HB 421, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Brainard, Jore, Keenan, Martinez.

Total 4

Excused: None.

Total 0

Absent or not voting: Cocchiarella, Rehbein, Shea.

Total 3

HB 445, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 91

Noes: Bergsagel, Cobb, Jore, Kasten, Keenan, Rehbein, Vick, Wagner.

Total 8

Excused: None.

Total 0

Absent or not voting: Fisher.

Total 1

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HB 509, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Shea, Simon, Sliter, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Wells, Wiseman, Zook, Mr. Speaker.

Total 68

Noes: Arnott, Barnhart, Bergsagel, Brainard, Carey, Cobb, DeBruycker, Ellingson, Elliott, Ewer, Galvin, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Martinez, McCulloch, Nelson, Peck, Ream, Rehbein, Schwinden, Simpkins, L. Smith, Tropila, Vick, Wagner, Wennemar, Wyatt.

Total 31

Excused: None.

Total 0

Absent or not voting: Orr.

Total 1

HB 540, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Raney, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Kitzenberg, Kottel, Larson, McCulloch, Menahan, Pavlovich, Quilici, Ream, Ryan, Schwinden, Squires, Swanson, Tuss, Wennemar.

Total 26

Excused: None.

Total 0

Absent or not voting: Forbes.

Total 1

SB 86, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan,

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Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: Grinde.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 224, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 357, Governor's amendments, concurred in as follows:

Ayes: Ahner, Barnett, Bergman, Bohlinger, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 74

Noes: Anderson, Arnott, Barnhart, Bergsagel, Boharski, Brainard, Curtiss, Green, Grinde, Jore, Kasten, Keenan, Martinez, McCann, Mills, Orr, Rehbein, S. Smith, Soft, Somerville, Story, Trexler, Vick, Wagner.

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Total 24

Excused: None.

Total 0

Absent or not voting: Hurdle, Murdock.

Total 2

SB 366, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 73

Noes: Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Kadas, Keenan, Larson, McCann, McCulloch, Raney, Ream, Ryan, Schwinden, Squires, Swanson, Tuss, Wennemar, Wyatt.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 584 - as amended by the Senate concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Arnott, Brainard, Cobb, Fuchs, Jore, Kasten, Keenan, Marshall, Molnar, Peck, Rehbein, Simpkins, Tropila, Vick, Wagner.

Total 15

Excused: None.

Total 0

Absent or not voting: Murdock.

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Total 1

HB 90, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Ryan, Schwinden, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 72

Noes: Carey, Cocchiarella, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Hurdle, Kadas, Kottel, Larson, McCulloch, Pavlovich, Peck, Quilici, Raney, Shea, Soft, Squires, Swanson, Tropila, Tuss, Wennemar.

Total 26

Excused: None.

Total 0

Absent or not voting: Ream, Simon.

Total 2

HB 528, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 65

Noes: Barnhart, Bergsagel, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ewer, Grimes, Hagener, Harper, Harrington, Heavy Runner, Hurdle, Jore, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 113, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Carey, Clark, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener,

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H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Barnett, Boharski, Brainard, Cobb, Denny, Heavy Runner, Herron, Jore, Kasten, Keenan, Martinez, Rehbein, Sliter, L. Smith, S. Smith, Tuss, Vick, Wagner, Wennemar.

Total 19

Excused: None.

Total 0

Absent or not voting: Bohlinger, Fuchs.

Total 2

SB 136, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Boharski, Bohlinger, Brainard, Carey, Cocchiarella, Curtiss, DeBruycker, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, Hagen, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, S. Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Arnott, Bergman, Bergsagel, Clark, Cobb, Devaney, Galvin, J. Johnson, R. Johnson, Kasten, Larson, Masolo, Menahan, Pavlovich, Ream, Rehbein, L. Smith, Somerville, Story, Trexler, Tuss.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 148, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Kottel, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 67

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Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 338, conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Harper, Hurdle, Kadas, Kottel, Larson, McCulloch, Raney, Ream, Soft, Swanson, Trexler, Tropila, Tuss, Wennemar.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wiseman, Zook, Mr. Speaker.

Total 58

Noes: Arnott, Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, S. Smith, Squires, Swanson, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wyatt.

Total 41

Excused: None.

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Total 0

Absent or not voting: Molnar.

Total 1

HB 497, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Orr, Pavlovich, Quilici, Raney, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: DeBruycker, Ellingson, Ewer, Hagener, J. Johnson, Kadas, Kasten, Nelson, Peck, Ream, Schwinden, Tuss, Wennemar.

Total 13

Excused: None.

Total 0

Absent or not voting: Feland.

Total 1

SB 362, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, Devaney, Ellis, Feland, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Noes: Arnott, Barnhart, Brainard, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Fisher, Galvin, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 201, Governor's amendments, concurred in as follows:

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Ayes: Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Quilici, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 62

Noes: Barnhart, Brainard, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Pavlovich, Peck, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Vick, Wennemar, Wyatt.

Total 36

Excused: None.

Total 0

Absent or not voting: Ahner, Hagener.

Total 2

HB 484, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Carey, Cocchiarella, Ellingson, Elliott, Ewer, Harper, Hurdle, Jore, Kadas, Keenan, Martinez, Menahan, Raney, Ream, Schwinden, Swanson.

Total 16

Excused: None.

Total 0

Absent or not voting: Tuss.

Total 1

HB 533, Governor's amendments, concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor,

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Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 98

Noes: Hurdle.
Total 1

Excused: None.
Total 0

Absent or not voting: Bohlinger.
Total 1

MOTIONS

SB 148 - Representative Barnett moved he be allowed to change his vote on SB 148, third reading, from not voting to aye. Motion carried.

HB 90 - Representative Ahner moved she be allowed to change her vote on HB 90, third reading, from not voting to aye. Motion carried.

HB 396 - Representative Boharski moved he be allowed to change his vote on HB 396, third reading, from nay to aye. Motion carried.

SB 86 - Representative Boharski moved he be allowed to change his vote on SB 86, third reading, from nay to aye. Motion carried.

HB 416 - Representative Arnott moved she be allowed to change her vote on HB 416, third reading, from not voting to aye. Motion carried.

Representative Grinde moved the House recess until 11:00 a.m. Motion carried.

House recessed at 10:25 a.m.

House reconvened at 11:00 a.m. Mr. Speaker in the Chair.

Representative Orr excused at this time.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Peck moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ellis in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 5 - Representative Bergsagel moved the free conference committee report to HB 5 be adopted. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 84

Noes: Boharski, Cobb, DeBruycker, Hurdle, R. Johnson, Jore, Kasten, Keenan, Murdock, Peck, Rehbein, S. Smith, Tuss, Vick, Wagner, Wennemar.

Total 16

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 15 - Representative Bergsagel moved the free conference committee report to HB 15 be adopted.

Representative Ryan made a substitute motion that the free conference committee report to HB 15 be not adopted. Motion failed as follows:

Ayes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, L. Smith, S. Smith, Squires, Swanson, Tropila, Tuss, Wennemar, Wiseman, Wyatt.

Total 43

Noes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 57

Excused: None.

Total 0

Absent or not voting: None.

Total 0

The motion to adopt the free conference committee report to HB 15 carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Cobb, Curtiss,

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DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Zook, Mr. Speaker.

Total 57

Noes: Barnhart, Boharski, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Forbes, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simpkins, L. Smith, S. Smith, Squires, Swanson, Tropila, Tuss, Wennemar, Wiseman, Wyatt.

Total 43

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Grinde moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ellis moved that the Committee of the Whole report be adopted. Report adopted. (68-20)

Representative Grinde moved the House recess until 1:00 p.m. Motion carried.

House recessed at 12:00 p.m.

House reconvened at 1:05 p.m. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/13/95

Correctly enrolled: HB 3, HB 4, HB 200, HB 293, HB 416, HB 449, HB 524, HB 537, HB 576.

Examined by the sponsor and found to be correct: HB 3, HB 4, HB 200, HB 293, HB 449, HB 524, HB 537, HB 576.

Signed by the Speaker at 11:00 a.m., 4/13/95: HB 416.

Delivered to the Governor for his approval at 11:10 a.m., 4/13/95: HB 416.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/13/95

HB 89, introduced by Peck

HB 201, introduced by Ellis

HB 421, introduced by Ewer

HB 445, introduced by Grady

HB 484, introduced by DeBruycker

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HB 509, introduced by Anderson
HB 540, introduced by Molnar

House bills concurred in and returned to the House:

4/13/95

HB 471, introduced by Simpkins
HB 591, introduced by Wiseman
HB 607, introduced by Grinde

Governor's amendments concurred in:

4/13/95

SB 249, introduced by Bishop
SB 366, introduced by Cole

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ellis in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 395 - Representative Grady moved the free conference committee report to HB 395 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergsagel, Bohlinger, Carey, Clark, Cobb, Cocchiarella, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Bergman, Boharski, Brainard, Denny, M. Hanson, Jore, Keenan, Murdock, Taylor, Vick.

Total 10

Excused: Orr.

Total 1

Absent or not voting: Curtiss.

Total 1

SB 257 - Representative Arnott moved the free conference committee report to SB 257 be adopted. Motion carried as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Quilici, Rehbein, Rose, Ryan, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 61

Noes: Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Ellingson, Elliott, Ewer, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Jore, Kadas, Kasten, Kottel, Larson, McCann, McCulloch, McKee, Menahan, Pavlovich, Peck, Raney, Ream, Schwinden, Shea, L. Smith, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 38

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

HB 6 - Representative Bergsagel moved the free conference committee report to HB 6 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Story, Stovall, Tash, Taylor, Trexler, Tropila, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 86

Noes: Cobb, DeBruycker, Ellingson, Feland, Kadas, Kasten, Rehbein, S. Smith, Somerville, Swanson, Tuss.

Total 11

Excused: Orr.

Total 1

Absent or not voting: Menahan, Ream.

Total 2

HB 9 - Representative Bergsagel moved the free conference committee report to HB 9 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici,

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Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Arnott, Cobb, DeBruycker, Devaney, Feland, Kasten, Menahan, Molnar, Rehbein, S. Smith, Wagner.

Total 11

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

SB 382 - Representative Knox moved the free conference committee report to SB 382 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Curtiss, Denny, Devaney, Ellis, Forbes, Fuchs, Green, Grimes, H.S. Hanson, M. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Knox, Martinez, Masolo, McGee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Ryan, Simon, Simpkins, Sliter, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 51

Noes: Barnhart, Bohlinger, Carey, Cobb, Cocchiarella, DeBruycker, Ellingson, Elliott, Ewer, Feland, Fisher, Galvin, Grinde, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, Kitzenberg, Kottel, Larson, Marshall, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Schwinden, Shea, L. Smith, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 45

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

Absent or not voting: Arnott, Grady, Hibbard, McKee.

Total 4

SB 223 - Representative R. Johnson moved the free conference committee report to SB 223 be adopted. Motion carried as follows:

Ayes: Anderson, Barnhart, Bohlinger, Carey, Cocchiarella, Devaney, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grady, Grimes, Hagener, M. Hanson, Harper, Harrington, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Masolo, McCulloch, McGee, McKee, Menahan, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Soft, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wennemar, Wyatt, Zook, Mr. Speaker.

Total 54

Noes: Ahner, Arnott, Barnett, Bergman, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny,

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Feland, Fisher, Fuchs, Green, Grinde, H.S. Hanson, Hayne, Heavy Runner, Herron, Jore, Kasten, Keenan, Larson, Marshall, Martinez, McCann, Mills, Molnar, Murdock, Rehbein, Rose, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Story, Taylor, Trexler, Vick, Wagner, Wells, Wiseman.

Total 45

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

SB 132 - Representative Anderson moved consideration of SB 132 be placed at the bottom of the second reading board. Motion carried.

SB 38 - Representative R. Johnson moved the free conference committee report to SB 38 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Clark, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Green, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Larson, Marshall, Martinez, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 76

Noes: Bergsagel, Brainard, Cobb, Curtiss, DeBruycker, Feland, Fuchs, Grinde, Heavy Runner, Jore, Keenan, Masolo, McCann, Murdock, Rehbein, S. Smith, Somerville, Vick, Wagner.

Total 19

Excused: Orr.

Total 1

Absent or not voting: Devaney, Kottel, L. Smith, Tuss.

Total 4

SB 249 - Representative Tropila moved Governor's amendments to SB 249 be concurred in. Motion carried as follows:

Ayes: Ahner, Barnhart, Bergman, Carey, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Grinde, Hagener, M. Hanson, Harper, Harrington, Heavy Runner, Hibbard, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Squires, Tash, Taylor, Tropila, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 57

Noes: Anderson, Arnott, Barnett, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Feland, Fuchs, Green, Grimes, H.S. Hanson, Hayne, Herron, Holland, R. Johnson, Jore, Kasten, Keenan, Martinez, Mills, Molnar, Nelson, Rehbein, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall,

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Trexler, Tuss, Vick, Wagner, Wells.
Total 41

Excused: Orr.
Total 1

Absent or not voting: Swanson.
Total 1

HB 412 - Representative Tash moved the free conference committee report to HB 412 be adopted. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.
Total 90

Noes: Ellingson, Hurdle, Rehbein, Story, Trexler, Tropila, Tuss, Wyatt.
Total 8

Voted Absentee: Orr, Aye.

Excused: None.
Total 0

Absent or not voting: H.S. Hanson, Simpkins.
Total 2

SB 377 - Representative Boharski moved SB 377 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 99

Noes: None.
Total 0

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Excused: Orr.
Total 1

Absent or not voting: None.
Total 0

SJR 21 - Representative Simon moved SJR 21 be concurred in. Motion carried as follows:

Ayes: Ahner, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 78

Noes: Anderson, Arnott, Barnett, Bergsagel, Boharski, Fuchs, Green, Jore, Marshall, Molnar, Rehbein, Rose, S. Smith, Story, Trexler, Vick, Wagner.
Total 17

Excused: Orr.
Total 1

Absent or not voting: Barnhart, Feland, Heavy Runner, Kasten.
Total 4

SJR 22 - Representative Ellingson moved SJR 22 be concurred in. Motion carried as follows:

Ayes: Anderson, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wells, Wiseman, Wyatt, Mr. Speaker.
Total 79

Noes: Ahner, Arnott, Devaney, Feland, Fisher, Fuchs, Grady, Green, Jore, Molnar, Rehbein, Story, Trexler, Vick, Wennemar, Zook.
Total 16

Excused: Orr.
Total 1

Absent or not voting: Boharski, DeBruycker, Kasten, S. Smith.
Total 4

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SJR 23 - Representative Denny moved SJR 23 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Arnott, Barnett, Bergsagel, Devaney, Feland, Fisher, Green, Jore, McCann, Molnar, Rehbein, Story, Taylor, Trexler, Vick, Wagner.

Total 16

Excused: Orr.

Total 1

Absent or not voting: DeBruycker, Grinde, Martinez, S. Smith.

Total 4

SJR 24 - Representative Masolo moved SJR 24 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Mills, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 82

Noes: Arnott, Barnett, Devaney, Green, Jore, McGee, Menahan, Molnar, Murdock, Rehbein, Trexler, Vick.

Total 12

Excused: Orr.

Total 1

Absent or not voting: Boharski, DeBruycker, Kasten, S. Smith, Tash.

Total 5

SJR 25 - Representative Simpkins moved SJR 25 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea,

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Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Barnett, Bergsagel, Devaney, Feland, Fisher, Fuchs, Green, Hayne, Jore, Kadas, McCann, McGee, Rehbein, Story, Taylor, Trexler, Wagner.

Total 17

Excused: Orr.

Total 1

Absent or not voting: DeBruycker, Kasten, S. Smith.

Total 3

HR 2 - Representative Peck moved HR 2 do pass. Motion carried as follows:

Ayes: Ahner, Barnhart, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, Soft, Somerville, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Anderson, Arnott, Barnett, Bergman, Boharski, Curtiss, DeBruycker, Green, Jore, McGee, Molnar, Rehbein, Simpkins, Vick, Wells.

Total 15

Excused: Orr.

Total 1

Absent or not voting: Kasten, Keenan, S. Smith, Squires.

Total 4

Representative Grinde moved the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ellis moved that the Committee of the Whole report be adopted. Report adopted. (81-11)

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman):

4/13/95

Signed by the Speaker at 1:10 p.m., 4/13/95: HB 537.

Signed by the Speaker at 2:27 p.m., 4/13/95: HB 3, HB 4, HB 200, HB 293, HB 418, HB 446, HB 449, HB 493, HB 524, HB 543, HB 547, HB 565, HB 569, HB 576, HB 594, HB 598.

Delivered to the Governor for his approval at 1:17 p.m., 4/13/95: HB 537.

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MESSAGES FROM THE SENATE

Free conference committee report #1 adopted:

4/13/95

HB 90, introduced by Feland
HB 528, introduced by Taylor

SB 38, introduced by Benedict
SB 136, introduced by Baer
SB 206, introduced by Burnett
SB 223, introduced by Keating
SB 257, introduced by Gage
SB 362, introduced by Tveit
SB 382, introduced by Harp

Conference committee report #1 adopted:

4/13/95

SB 113, introduced by Brooke
SB 333, introduced by Bishop
SB 338, introduced by Jergeson
SB 386, introduced by Devlin
SB 398, introduced by Gage

SB 148, Conference Committee Report #1, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed the Senate on 4/13/95 with the following vote:

YEAS - 31
NAYS - 19

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena MT 59620

April 13, 1995

The Honorable Bob Brown
President of the Senate
State Capitol
Helena MT 59620

Dear Speaker Mercer and President Brown:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby return House Bill 490, "AN ACT EXTENDING THE STATE EMPLOYEE PROTECTION ACT; CLARIFYING THE DEFINITION OF EMPLOYEE; AUTHORIZING ADDITIONAL SERVICE AS AN ALTERNATIVE TO BENEFITS UNDER THE STATE EMPLOYEE PROTECTION ACT FOR A MEMBER WHO IS INVOLUNTARILY TERMINATED FROM MEMBERSHIP BY A REDUCTION IN FORCE,

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ABOLISHMENT OR MERGER OF AN AGENCY, OR RESTRUCTURING OF STATE AGENCIES BY LEGISLATIVE ACTION; AMENDING SECTIONS 2-18-1202, 2-18-1203, 2-18-1204, AND 2-18-1205, MCA; REPEALING SECTION 11, CHAPTER 477, LAWS OF 1993; PROVIDING AN APPROPRIATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND A TERMINATION DATE."

Amendments to House Bill 490 are required to reduce the cost of purchasing additional service on behalf of retirement-eligible employees who are involuntarily terminated due to privatization, reorganization or a reduction in force. Since House Bill 268 has not been enacted, it is no longer constitutionally necessary for employers to pay the full actuarial cost for purchasing this service.

Since House Bill 324 has already been signed into law, the coordination instruction in section 11 is no longer necessary and it is most efficient to strike this section rather than to amend it.

It is my understanding that Representative Squires, the sponsor of House Bill 490, is in agreement with this amendment.

Sincerely,

MARC RACICOT
Governor

GOVERNOR'S AMENDMENTS TO
HOUSE BILL NO. 490

1. Page 4, lines 5 and 6.
Following: "total"
Strike: "actuarial"
Following: "cost"
Strike: ", as" on line 5 through "system," on line 6

2. Page 5, line 13.
Strike: "NEW SECTION. Section 11." in its entirety

Renumber subsequent sections

MOTIONS

SB 132 - Representative Anderson moved the House dissolve the conference committee on SB 132 and the bill be transmitted to the Governor. Motion carried.

HB 105 - Representative Simpkins moved the House override the Governor's veto of HB 105. Motion failed. (61-38)

Representative Grinde moved the House recess until 4:30 p.m. Motion carried.

House recessed at 3:55 p.m.

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House reconvened at 4:30 p.m. Mr. Speaker in the Chair.

Representative Grinde moved the House recess until 5:00 p.m. Motion carried.

House recessed at 4:35 p.m.

House reconvened at 5:05 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ellis in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 490 - Representative Squires moved Governor's amendments to HB 490 be concurred in. Motion carried as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Orr.

Total 1

Absent or not voting: Barnett, Ohs, Sliter.

Total 3

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ellis moved that the Committee of the Whole report be adopted. Report adopted. (92-0)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 5, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 88

Noes: Boharski, DeBruycker, Feland, R. Johnson, Jore, Kasten, Keenan, Peck, Rehbein, S. Smith.

Total 10

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

Absent or not voting: Green, Sliter.

Total 2

HB 15, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 66

Noes: Barnhart, Carey, Cobb, Cocchiarella, Ellingson, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

Absent or not voting: Elliott.

Total 1

HB 395, free conference committee report, adopted as follows:

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Ayes: Ahner, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Zook, Mr. Speaker.

Total 86

Noes: Bergsagel, Boharski, M. Hanson, Jore, Keenan, Rehbein, Wyatt.

Total 7

Excused: Orr.

Total 1

Absent or not voting: Anderson, Denny, Fuchs, Hibbard, McKee, Stovall.

Total 6

HB 257, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Brainard, Clark, Curtiss, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Peck, Raney, Ream, Rose, Ryan, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 67

Noes: Boharski, Carey, Cobb, Cocchiarella, DeBruycker, Denny, Elliott, Ewer, Hagener, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Keenan, Kottel, Larson, McCann, Menahan, Pavlovich, Quilici, Rehbein, Schwinden, Shea, Swanson, Trexler, Tropila, Wennemar.

Total 28

Excused: Orr.

Total 1

Absent or not voting: Bergsagel, Ellingson, McCulloch, Squires.

Total 4

HB 6, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Simon, Simpkins, Sliter, L. Smith, Soft, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

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Total 84

Noes: DeBruycker, Feland, Jore, Kasten, Keenan, Marshall, Peck, Rehbein, S. Smith, Somerville, Vick.

Total 11

Excused: Orr.

Total 1

Absent or not voting: Elliott, Shea, Squires, Tuss.

Total 4

HB 9, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bergsagel, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Hibbard, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCulloch, McGee, McKee, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 75

Noes: Arnott, Barnett, Boharski, Brainard, Cobb, DeBruycker, Devaney, Feland, Herron, Jore, Kasten, Keenan, Marshall, Menahan, Molnar, Rehbein, S. Smith, Vick, Wagner.

Total 19

Excused: Orr.

Total 1

Absent or not voting: Fuchs, Green, Holland, McCann, Tuss.

Total 5

SB 382, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnett, Bergman, Boharski, Bohlinger, Brainard, Clark, Curtiss, DeBruycker, Devaney, Ellis, Forbes, Fuchs, Galvin, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Keenan, Kitzenberg, Knox, Larson, Marshall, Martinez, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 64

Noes: Arnott, Barnhart, Carey, Cobb, Cocchiarella, Denny, Ellingson, Elliott, Ewer, Feland, Fisher, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Kasten, Kottel, Masolo, McCann, McCulloch, Menahan, Peck, Raney, Ream, Schwinden, Squires, Swanson, Trexler, Tropila, Tuss, Wennemar, Wyatt.

Total 34

Voted Absentee: Orr, Aye.

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Excused: None.

Total 0

Absent or not voting: Bergsagel, Grady.

Total 2

SB 223, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bohlinger, Carey, Cocchiarella, DeBruycker, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, Soft, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 71

Noes: Arnott, Barnett, Bergsagel, Boharski, Brainard, Clark, Cobb, Curtiss, Denny, Devaney, Feland, Harrington, Jore, Kasten, Keenan, Larson, Martinez, McCann, Mills, Molnar, Rehbein, L. Smith, S. Smith, Somerville, Story, Trexler, Vick, Wagner.

Total 28

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

SB 38, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bohlinger, Carey, Clark, Cocchiarella, Curtiss, Denny, Devaney, Ellingson, Elliott, Ellis, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 79

Noes: Bergsagel, Boharski, Brainard, Cobb, DeBruycker, Ewer, Feland, Heavy Runner, Jore, Kasten, Keenan, Martinez, McCann, Peck, Rehbein, S. Smith, Somerville, Story, Tuss, Vick.

Total 20

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

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SB 249, Governor's amendments, not concurred in as follows:

Ayes: Barnhart, Bergman, Clark, Denny, Harper, Hibbard, Masolo, McKee, Murdock, Ohs, Ream, Sliter, Taylor.
Total 13

Noes: Ahner, Anderson, Arnott, Barnett, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harrington, Hayne, Heavy Runner, Herron, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, McCann, McCulloch, McGee, Menahan, Mills, Molnar, Nelson, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wiseman, Wyatt, Zook, Mr. Speaker.
Total 85

Voted Absentee: Orr, No.

Excused: None.
Total 0

Absent or not voting: Ellingson, Wennemar.
Total 2

HB 412, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Elliott, Ellis, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, H.S. Hanson, M. Hanson, Harrington, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Orr, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.
Total 78

Noes: Brainard, Carey, Ellingson, Ewer, Hagener, Harper, Heavy Runner, Hurdle, J. Johnson, Kadas, Keenan, McCulloch, Peck, Raney, Ream, Story, Tropila, Wennemar, Wyatt.
Total 19

Voted Absentee: Orr, Aye.

Excused: None.
Total 0

Absent or not voting: Grinde, Ohs, Tuss.
Total 3

SB 377 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb,

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Cocchiarella, Curtiss, DeBruycker, Denny, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, Jore, Kadas, Kasten, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Vick, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 97

Noes: Bergsagel.

Total 1

Excused: Orr.

Total 1

Absent or not voting: R. Johnson.

Total 1

SJR 21 concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 80

Noes: Arnott, Barnett, Bergsagel, Boharski, Devaney, Feland, Green, Jore, Kasten, Keenan, McCann, Murdock, Rehbein, S. Smith, Story, Trexler, Vick, Wagner.

Total 18

Excused: Orr.

Total 1

Absent or not voting: DeBruycker.

Total 1

SJR 22 concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Hurdle, J. Johnson, R. Johnson, Kasten, Kitzenberg, Knox, Kottel, Larson, Martinez, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wiseman, Wyatt, Mr. Speaker.

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Total 74

Noes: Arnott, Bergsagel, Devaney, Feland, Fisher, Fuchs, Grady, Green, Jore, Molnar, Rehbein, Story, Trexler, Vick, Wells, Wennemar, Zook.

Total 17

Excused: Orr.

Total 1

Absent or not voting: Barnett, Boharski, DeBruycker, Holland, Kadas, Keenan, Marshall, S. Smith.

Total 8

SJR 23 concurred in as follows:

Ayes: Ahner, Anderson, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McGee, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 81

Noes: Arnott, Barnett, Bergsagel, Devaney, Feland, Fisher, Green, Jore, Keenan, McCann, Molnar, Rehbein, Story, Trexler, Vick, Wagner.

Total 16

Excused: Orr.

Total 1

Absent or not voting: DeBruycker, S. Smith.

Total 2

SJR 24 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Bergsagel, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCann, McCulloch, McKee, Menahan, Mills, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 83

Noes: Barnett, Devaney, Feland, Green, Jore, McGee, Molnar, Rehbein, Trexler, Vick.

Total 10

Excused: Orr.

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Total 1

Absent or not voting: Boharski, DeBruycker, Kasten, Keenan, Peck, S. Smith.

Total 6

SJR 25 concurred in as follows:

Ayes: Ahner, Anderson, Arnott, Barnhart, Bergman, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, Denny, Ellingson, Elliott, Ellis, Ewer, Forbes, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kitzenberg, Knox, Kottel, Larson, Marshall, Martinez, Masolo, McCulloch, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Tropila, Tuss, Vick, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Barnett, Bergsagel, Devaney, Feland, Fisher, Fuchs, Green, Hayne, Jore, Kadas, Keenan, McCann, McGee, Rehbein, Story, Trexler, Wagner.

Total 17

Excused: Orr.

Total 1

Absent or not voting: DeBruycker, Kasten, Peck, S. Smith.

Total 4

SB 397 concurred in as follows:

Ayes: Ahner, Anderson, Barnett, Barnhart, Bergman, Boharski, Bohlinger, Carey, Cocchiarella, Denny, Ellingson, Elliott, Ellis, Ewer, Fisher, Forbes, Fuchs, Galvin, Grady, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Jore, Kadas, Keenan, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rose, Ryan, Schwinden, Shea, Simon, Sliter, L. Smith, S. Smith, Soft, Squires, Story, Stovall, Swanson, Tash, Taylor, Tropila, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 78

Noes: Arnott, Bergsagel, Brainard, Clark, Cobb, Curtiss, DeBruycker, Devaney, Feland, Green, Hayne, Kasten, Martinez, Nelson, Rehbein, Simpkins, Somerville, Trexler, Tuss, Vick, Wagner.

Total 21

Excused: Orr.

Total 1

Absent or not voting: None.

Total 0

HB 490, Governor's amendments, concurred in as follows:

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Ayes: Ahner, Anderson, Arnott, Barnett, Barnhart, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Carey, Clark, Cobb, Cocchiarella, Curtiss, DeBruycker, Devaney, Ellingson, Elliott, Ellis, Ewer, Feland, Fisher, Forbes, Fuchs, Galvin, Grady, Green, Grimes, Grinde, Hagener, H.S. Hanson, M. Hanson, Harper, Harrington, Hayne, Heavy Runner, Herron, Hibbard, Holland, Hurdle, J. Johnson, R. Johnson, Kadas, Kasten, Kitzenberg, Knox, Kottel, Larson, Marshall, Masolo, McCann, McCulloch, McGee, McKee, Menahan, Mills, Molnar, Murdock, Nelson, Ohs, Pavlovich, Peck, Quilici, Raney, Ream, Rehbein, Rose, Ryan, Schwinden, Shea, Simon, Simpkins, Sliter, L. Smith, S. Smith, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Tuss, Wagner, Wells, Wennemar, Wiseman, Wyatt, Zook, Mr. Speaker.

Total 93

Noes: Denny, Jore, Keenan, Soft, Vick.

Total 5

Excused: Orr.

Total 1

Absent or not voting: Martinez.

Total 1

MOTIONS

HB 15 FCC - Representative Grinde moved the House reconsider its action on the Free Conference Committee to HB 15 taken on third reading the previous legislative day. Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 15, free conference committee report, adopted as follows:

Ayes: Ahner, Anderson, Arnott, Barnett, Bergman, Bergsagel, Boharski, Bohlinger, Brainard, Clark, Cobb, Curtiss, DeBruycker, Denny, Devaney, Ellis, Feland, Fisher, Forbes, Fuchs, Grady, Green, Grimes, Grinde, H.S. Hanson, M. Hanson, Hayne, Herron, Hibbard, Holland, R. Johnson, Jore, Kasten, Keenan, Kitzenberg, Knox, Marshall, Martinez, Masolo, McGee, McKee, Mills, Molnar, Murdock, Nelson, Ohs, Orr, Rehbein, Rose, Simon, Simpkins, Sliter, L. Smith, S. Smith, Soft, Somerville, Story, Stovall, Tash, Taylor, Trexler, Vick, Wagner, Wells, Wiseman, Zook, Mr. Speaker.

Total 67

Noes: Barnhart, Carey, Cocchiarella, Ellingson, Elliott, Ewer, Galvin, Hagener, Harper, Harrington, Heavy Runner, Hurdle, J. Johnson, Kadas, Kottel, Larson, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ream, Ryan, Schwinden, Shea, Squires, Swanson, Tropila, Tuss, Wennemar, Wyatt.

Total 33

Voted Absentee: Orr, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

COMMUNICATIONS AND PETITIONS

I hereby appoint the following members to the Administrative Code Committee:

Matt Denny
Marge Fisher
Deb Kottel
Dore Schwinden

Sincerely,

John Mercer
Speaker of the House

I hereby appoint the following members to the Committee on Indian Affairs:

Goerge Heavy Runner
Joan Hurdle
Bonnie Martinez
Jay Stovall

Sincerely,

John Mercer
Speaker of the House

I hereby appoint the following members to the Environmental Quality Council:

Vicki Cocchiarella
Dick Knox
Scott Orr
Bill Ryan
Debbie Shea
Bill Tash

Sincerely,

John Mercer
Speaker of the House

I hereby appoint the following members to the Legislative Consumer Committee:

Sonny Hanson
Joe Quilici

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Sincerely,

John Mercer
Speaker of the House

I hereby appoint the following members to the Microbusiness Advisory Panel:

John Bohlinger
Bill Carey

Sincerely,

John Mercer
Speaker of the House

I hereby appoint the following members to the Reserved Water Rights Compact Commission:

Robert Story
Emily Swanson

Sincerely,

John Mercer
Speaker of the House

REPORTS OF STANDING COMMITTEES

BILLS (Hayne, Chairman): 4/13/95
Correctly enrolled: HB 24, HB 157, HB 308, HB 396, HB 471, HB 509, HB 587, HB 584, HB 607.
Examined by the sponsor and found to be correct: HB 24, HB 157, HB 308, HB 396, HB 471, HB 509, HB 587,
HB 584, HB 607.

MESSAGES FROM THE SENATE

Free conference committee report #1 adopted: 4/13/95

HB 2, introduced by Zook
HB 5, introduced by Bergsagel
HB 6, introduced by Bergsagel
HB 9, introduced by Bergsagel
HB 15, introduced by Bergsagel
HB 395, introduced by Raney
HB 497, introduced by Bohlinger

HB 408 - The motion to override the Governor's veto, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed and the bill was transmitted on 4/13/95.

Governor's amendments concurred in:

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HB 490, introduced by Squires
HB 533, introduced by Arnott

MESSAGES FROM THE GOVERNOR

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 8 sponsored by Representative Bergsagel on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 18 sponsored by Representative Zook on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 121 sponsored by Representatives Simon et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer

April 13, 1995

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 150 sponsored by Representative Ahner on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 158 sponsored by Representatives Fuchs et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 164 sponsored by Representatives Harper et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 197 sponsored by Representatives Ewer et al. on April 13, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 214 sponsored by Representatives Kottel et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 232 sponsored by Representatives Jore et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 286 sponsored by Representatives Pavlovich et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer

April 13, 1995

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 295 sponsored by Representative Holland on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 305 sponsored by Representatives Kadas et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 325 sponsored by Representative Simpkins on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 354 sponsored by Representatives Mills et al. on April 13, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 420 sponsored by Representative Ewer on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 462 sponsored by Representatives Ewer et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 464 sponsored by Representatives Harper et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House

April 13, 1995

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State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 478 sponsored by Representatives Story et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 488 sponsored by Representatives Tuss et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 512 sponsored by Representative DeBruycker on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 518 sponsored by Representatives Tuss et al. on April 13, 1995.

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Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 530 sponsored by Representatives Wiseman et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 544 sponsored by Representatives Tuss et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 561 sponsored by Representatives Larson et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer

April 13, 1995

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Mercer:

Please be informed that I have signed House Bill 577 sponsored by Representatives Kadas et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

The Honorable John Mercer
Speaker of the House
State Capitol
Helena, Montana 59620

April 13, 1995

Dear Representative Mercer:

Please be informed that I have signed House Bill 578 sponsored by Representatives R. Johnson et al. on April 13, 1995.

Sincerely,

MARC RACICOT
Governor

SPECIAL ORDERS OF THE DAY

Representative Grinde moved the Speaker be authorized to appoint a committee to notify His Excellency, the Governor, that the House of Representatives of the Fifty-Fourth Legislature has completed its business and is ready to adjourn sine die. Motion carried.

Mr. Speaker appointed Representatives Barnhart, Hayne, Quilici and Zook.

Representative Grinde moved the Speaker be authorized to appoint a committee to notify the Senate that the House of Representatives of the Fifty-Fourth Legislature has completed its business and is ready to adjourn sine die. Motion carried.

Mr. Speaker appointed Representatives M. Hanson, Heavy Runner, Sliter and Swanson.

Representative Grinde moved the Speaker be authorized to appoint a committee to notify the Supreme Court that the House of Representatives of the Fifty-Fourth Legislature has completed its business and is ready to adjourn sine die. Motion carried.

Mr. Speaker appointed Representatives Anderson, DeBruycker, Ellingson and Kottel.

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Mr. Speaker dismissed the committees to perform their appointed duties, and the House stood at ease.

A committee from the Senate consisting of Senators Aklestad, Crippen and Lynch notified the House of Representatives that the Senate of the Fifty-Fourth Legislature has completed its business and is ready to adjourn sine die.

The committees appointed to notify the Governor, Senate and Supreme Court returned and informed the House that they had delivered their messages. Mr. Speaker discharged the committees and thanked the members.

Representative Grinde moved that joint rule 40-160 of the Fifty-Fourth Legislature be interpreted to allow five working days after the return of bills from enrolling for signature and delivery to the Governor of all bills passed by the 85th legislative day. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Grinde moved the House adjourn sine die. Motion carried.

House adjourned sine die at 6:15 p.m.

John Mercer, Speaker

Marilyn Miller, Chief Clerk

